

THE DEPARTMENT OF STATE BULLETIN

VOL. XIV, NO. 358

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BULLETIN



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JUN 1 '46

Report of the Anglo-American Committee of Inquiry

STATEMENT BY THE PRESIDENT

I am very happy that the request which I made for the immediate admission of 100,000 Jews into Palestine has been unanimously endorsed by the Anglo-American Committee of Inquiry. The transference of these unfortunate people should now be accomplished with the greatest dispatch. The protection and safeguarding of the Holy Places in Palestine sacred to Moslem, Christian, and Jew is adequately provided in the report. One of the significant features in the report is that it aims to insure complete protection to the Arab population of Palestine by guaranteeing their civil and religious rights, and by recommending measures for constant improvement in their cultural, educational, and economic position.

I am also pleased that the Committee recommends in effect the abrogation of the White Paper of 1939 including existing restrictions on immigration and land acquisition to permit the further development of the Jewish National Home. It is also gratifying that the report envisages the carrying out of large-scale economic development projects in Palestine which would facilitate further immigration and be of benefit to the entire population.

The text of the report and the President's statement were released to the press by the White House on Apr. 30, 1946.

The report, as submitted to the Governments of the United States and the United Kingdom, was signed at Lausanne, Switzerland, on Apr. 20, 1946. The following signatures were attached to the report: Joseph C. Hutcheson, American Chairman; John E. Singleton, British Chairman; Frank Aydelotte (U.S.), Frank W. Buxton (U.S.), W. F. Crick (U.K.), R. H. S. Crossman (U.K.), Bartley C. Crum (U.S.), Frederick Leggett (U.K.), R. E. Manningham-Buller (U.K.), James G. McDonald (U.S.), Morrison (U.K.), William Phillips (U.S.), Leslie L. Rood, American Secretary, Evan M. Wilson, American Secretary, H. G. Vincent, British Secretary, and H. Beeley, British Secretary.

In addition to these immediate objectives the report deals with many other questions of long-range political policies and questions of international law which require careful study and which I will take under advisement.

TRANSMITTAL OF THE REPORT TO THE PRESIDENT

LAUSANNE, SWITZERLAND,
April 20, 1946.

The President,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT:

We have the honor to transmit herewith the report of the Anglo-American Committee of Inquiry.

Very respectfully yours,

JOSEPH C. HUTCHESON,
American Chairman.

FRANK AYDELOTTE
FRANK W. BUXTON
BARTLEY C. CRUM
JAMES G. McDONALD
WILLIAM PHILLIPS

LETTER FROM THE PRESIDENT TO JUDGE HUTCHESON

Letter addressed by the President to Joseph C. Hutcheson, American Chairman, Anglo-American Committee of Inquiry, on April 25

MY DEAR JUDGE HUTCHESON:

I have received the report of the Anglo-American Committee of Inquiry on Palestine which you and the other American members of that Committee transmitted to me under cover of your letter of April 20, 1946.

I wish to take this opportunity to thank you and your American colleagues for the untiring efforts which you have exerted in preparing the report. In performing the task which I asked them to undertake, the members of the Committee made considerable personal sacrifices and have given unstintedly of their time and energy.

Sincerely yours,

HARRY S. TRUMAN.

EXCERPTS FROM THE REPORT

Excerpts from the text of the report of the Anglo-American Committee of Inquiry, as submitted to the Governments of the United States and the United Kingdom

Preface

We were appointed by the Governments of the United States and of the United Kingdom, as a joint body of American and British membership, with the following Terms of Reference:

1. To examine political, economic and social conditions in Palestine as they bear upon the problem of Jewish immigration and settlement therein and the well-being of the peoples now living therein.

2. To examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe.

3. To hear the views of competent witnesses and to consult representative Arabs and Jews on the problems of Palestine as such problems are affected by conditions subject to examination under paragraphs 1 and 2 above and by other relevant facts and circumstances, and to make recommendations to His Majesty's Government and the Government of the United States for *ad interim* handling of these problems as well as for their permanent solution.

4. To make such other recommendations to His Majesty's Government and the Government of the United States as may be necessary to meet the im-

mediate needs arising from conditions subject to examination under paragraph 2 above, by remedial action in the European countries in question or by the provision of facilities for emigration to and settlement in countries outside Europe.

The Governments urged upon us the need for the utmost expedition in dealing with the subjects committed to us for investigation, and requested to be furnished with our Report within one hundred and twenty days of the inception of our Inquiry.

We assembled in Washington on Friday, 4th January, 1946 and began our public sessions on the following Monday. We sailed from the United States on 18th January and resumed our public sessions in London on 25th January. We left for Europe on 4th and 5th February, and, working in Subcommittees, proceeded to our investigations in Germany, Poland, Czechoslovakia, Austria, Italy and Greece. On 28th February we flew to Cairo and, after sessions there, reached Jerusalem on 6th March. In Palestine, our sessions were interspersed with personal visits to different parts of the country, during which we sought to acquaint ourselves at first hand with its various characteristics and the ways of life of its inhabitants. Subcommittees visited the capitals of Syria, Lebanon, Iraq, Saudi-Arabia and Trans-Jordan to hear the views of the Arab Governments and representatives of bodies concerned with the subjects before us. We left Palestine on 28th March and have concluded our deliberations in Switzerland. The detailed itinerary is shown in Appendix I.

We now submit the following Report.

Chapter I

RECOMMENDATIONS¹

The European Problem.

Recommendation No. 1. We have to report that such information as we received about countries other than Palestine gave no hope of substantial assistance in finding homes for Jews wishing or impelled to leave Europe.

But Palestine alone cannot meet the emigration needs of the Jewish victims of Nazi and Fascist persecution; the whole world shares responsibility for them and indeed for the resettlement of all "displaced persons".

We therefore recommend that our Governments together, and in association with other countries, should endeavor immediately to find new homes

¹ In the report each of these recommendations is followed by comments.

for all such "displaced persons", irrespective of creed or nationality, whose ties with their former communities have been irreparably broken.

Though emigration will solve the problems of some victims of persecution, the overwhelming majority, including a considerable number of Jews, will continue to live in Europe. We recommend therefore that our Governments endeavor to secure that immediate effect is given to the provision of the United Nations Charter calling for "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion".

Refugee Immigration Into Palestine.

Recommendation No. 2. We recommend (a) that 100,000 certificates be authorized immediately for the admission into Palestine of Jews who have been the victims of Nazi and Fascist persecution; (b) that these certificates be awarded as far as possible in 1946 and that actual immigration be pushed forward as rapidly as conditions will permit.

Principles of Government: no Arab, no Jewish State.

Recommendation No. 3. In order to dispose, once and for all, of the exclusive claims of Jews and Arabs to Palestine, we regard it as essential that a clear statement of the following principles should be made:

I. That Jew shall not dominate Arab and Arab shall not dominate Jew in Palestine. II. That Palestine shall be neither a Jewish state nor an Arab state. III. That the form of government ultimately to be established, shall, under international guarantees, fully protect and preserve the interests in the Holy Land of Christendom and of the Moslem and Jewish faiths.

Thus Palestine must ultimately become a state which guards the rights and interests of Moslems, Jews and Christians alike; and accords to the inhabitants, as a whole, the fullest measure of self-government, consistent with the three paramount principles set forth above.

Mandate and United Nations Trusteeship.

Recommendation No. 4. We have reached the conclusion that the hostility between Jews and Arabs and, in particular, the determination of each to achieve domination, if necessary by violence,

make it almost certain that, now and for some time to come, any attempt to establish either an independent Palestinian state or independent Palestinian states would result in civil strife such as might threaten the peace of the world. We therefore recommend that, until this hostility disappears, the government of Palestine be continued as at present under mandate pending the execution of a trusteeship agreement under the United Nations.

Equality of Standards.

Recommendation No. 5. Looking towards a form of ultimate self-government, consistent with the three principles laid down in recommendation No. 3, we recommend that the mandatory or trustee should proclaim the principle that Arab economic, educational and political advancement in Palestine is of equal importance with that of the Jews; and should at once prepare measures designed to bridge the gap which now exists and raise the Arab standard of living to that of the Jews; and so bring the two peoples to a full appreciation of their common interest and common destiny in the land where both belong.

Future Immigration Policy.

Recommendation No. 6. We recommend that pending the early reference to the United Nations and the execution of a trusteeship agreement, the mandatory should administer Palestine according to the mandate which declares with regard to immigration that "The administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions."

Land Policy.

Recommendation No. 7. (a) We recommend that the land transfers regulations of 1940 be rescinded and replaced by regulations based on a policy of freedom in the sale, lease or use of land, irrespective of race, community or creed; and providing adequate protection for the interests of small owners and tenant cultivators. (b) We further recommend that steps be taken to render nugatory and to prohibit provisions in conveyances, leases and agreements relating to land which stipulate that only members of one race, community or creed may be employed on or about or in connection therewith. (c) We recommend that the

Government should exercise such close supervision over the Holy Places and localities such as the Sea of Galilee and its vicinity as will protect them from desecration and from uses which offend the conscience of religious people; and that such laws as are required for this purpose be enacted forthwith.

Economic Development.

Recommendation No. 8. Various plans for large-scale agricultural and industrial development in Palestine have been presented for our consideration; these projects, if successfully carried into effect, could not only greatly enlarge the capacity of the country to support an increasing population, but also raise the living standards of Jew and Arab alike.

We are not in a position to assess the soundness of these specific plans; but we cannot state too strongly that, however technically feasible they may be, they will fail unless there is peace in Palestine. Moreover their full success requires the willing cooperation of adjacent Arab states, since they are not merely Palestinian projects. We recommend therefore that the examination, discussion and execution of these plans be conducted, from the start and throughout, in full consultation and cooperation not only with the Jewish agency but also with the governments of the neighboring Arab states directly affected.

Education.

Recommendation No. 9. We recommend that, in the interests of the conciliation of the two peoples and of general improvement of the Arab standard of living, the educational system of both Jews and Arabs be reformed including the introduction of compulsory education within a reasonable time.

The Need for Peace in Palestine.

Recommendation No. 10. We recommend that, if this report is adopted, it should be made clear beyond all doubt to both Jews and Arabs that any attempt from either side, by threats of violence, by terrorism, or by the organization or use of illegal armies to prevent its execution, will be resolutely suppressed.

Furthermore, we express the view that the Jewish agency should at once resume active cooperation with the mandatory in the suppression of terrorism and of illegal immigration, and in the maintenance of that law and order throughout

Palestine which is essential for the good of all, including the new immigrants.

[Here follow Chapters II through X under the headings of: "The Position of the Jews in Europe"; "The Political Situation in Palestine"; "Geography and Economics"; "The Jewish Attitude"; "The Arab Attitude"; "Christian Interests in Palestine"; "Jews, Arabs and Government"; "Public Security"; and "General".]

APPENDIX I

Itinerary of Committee

1946			
Jan. 4-17	Washington	Full Committee	
Jan. 23-Feb. 4	London	Full Committee	
Feb. 5-15	American Zone of Germany	Mr. Crum	
	Czechoslovakia	Sir Frederick Leggett	
Feb. 5-22	Paris	Mr. Phillips	
	French Zones of Germany and Austria	Mr. McDonald	
Feb. 5-17	Berlin	Judge Hutcheson	
		Sir John Singleton	
		Lord Morrison	
		Mr. Buxton	
		Mr. Manningham-Buller	
Feb. 7-13	Poland	Mr. Crick	
		Mr. Buxton	
		Mr. Manningham-Buller	
Feb. 8-11	British Zone of Germany	Mr. Crick	
		Judge Hutcheson	
		Sir John Singleton	
		Lord Morrison	
Feb. 17-25	Vienna	Full Committee	
Feb. 19-22	American Zone of Austria	Mr. Buxton	
		Mr. Manningham-Buller	
		Mr. Crick	
Feb. 25-26	British Zone of Austria	Mr. Crum	
		Mr. Crossman	
Feb. 25-27	Italy	Sir John Singleton	
		Mr. Phillips	
		Mr. McDonald	
		Sir Frederick Leggett	
Feb. 28-Mar. 5	Cairo	Full Committee	
Mar. 6-28	Palestine	Full Committee	
Mar. 15-20	Damascus; Beirut	Judge Hutcheson	
		Lord Morrison	
		Mr. McDonald	
Mar. 16-21	Baghdad; Riyadh	Sir John Singleton	
		Mr. Buxton	
		Mr. Manningham-Buller	
Mar. 23-24	Amman	Lord Morrison	
		Mr. Phillips	
		Sir Frederick Leggett	
Mar. 29-Apr. 20	Lausanne	Full Committee	

APPENDIX III

Estimated Jewish Population in Europe

TABLE A

Country	1939	1946			Nationality of Refugee and Displaced
	Total	Total	Native	Refugee and Displaced	
Albania	200	300	50	250	Mainly Austrian and Yugoslav
Austria	^a 60,000	15,000	7,000	8,000	75% Polish; 11% Hungarian; 6% Czech and 6% Rumanian
Belgium	90,000	33,000	25,000	8,000	Mainly German, Austrian and Polish
Bulgaria	50,000	45,000	45,000	-----	
Czechoslovakia	^b 315,000	^c 65,000	^c 60,000	5,000	Mainly Polish; some Hungarian
Denmark	7,000	5,500	5,500	-----	
Finland	2,000	1,800	1,800	-----	
France	320,000	180,000	160,000	20,000	Mainly German, Austrian and Polish
Germany	^d 215,000	94,000	20,000	74,000	85% Polish; 5% Hungarian; 4% Lithuanian; 3% Rumanian
Greece	75,000	10,000	10,000	-----	
Holland	150,000	30,000	24,000	6,000	Over 80% German and Austrian
Hungary	^e 400,000	^f 200,000	^f 200,000	-----	
Italy	50,000	46,000	30,000	16,000	75% Polish; 7% Rumanian; 5% Czech; 5% Hungarian
Luxembourg	3,500	500	500	-----	
Norway	2,000	1,000	750	250	Mostly German
Poland	3,351,000	^g 80,000	^g 80,000	-----	
Rumania	^h 850,000	ⁱ 335,000	ⁱ 320,000	15,000	Mainly Polish
Yugoslavia	75,000	11,000	11,000	-----	
TOTAL (Table A). . .	6,015,700	1,153,100	1,000,600	152,500	

TABLE B

Country	1939	1946			Nationality of Refugee and Displaced
	Total*	Total	Native	Refugee and Displaced	
United Kingdom.	340,000	350,000	300,000	50,000	90% German and Austrian
Portugal	3,500	4,000	3,500	500	Various nationalities
Soviet Union	^j 3,550,000	2,665,000	2,500,000	165,000	150,000 Polish; 15,000 Hungarian
Spain	4,500	4,500	4,000	500	Various nationalities
Sweden	7,500	19,500	7,500	12,000	Mainly Polish, German and Austrian
Switzerland	25,000	28,500	18,000	10,500	Mainly Polish, German and Austrian
TOTAL (Table B). . .	3,930,500	3,071,500	2,833,000	238,500	
TOTAL (Table A). . .	6,015,700	1,153,100	1,000,600	152,500	
TOTAL FOR EUROPE. . .	9,946,200	4,224,600	3,833,600	391,000	

*The figures in this column include refugee as well as native Jews.

^a In 1937, the Jewish population of Austria was approximately 192,000. By the outbreak of the war, the emigration of over 100,000 together with persecution and deportations had reduced the number to some 60,000.

^b The figure refers to the Jewish population within pre-Munich boundaries, when the Jews of Czechoslovakia numbered about 360,000. By September 1939 due mainly to emigration, the number had fallen to approximately 315,000.

^c Does not include such Jewish survivors as have remained in the Carpatho-Ukraine, this territory now in the Soviet Union.

^d According to the census of June 1933, the Jewish population of Germany totaled 499,682. By September 1939 the emigration of something over 200,000, persecution, and natural population decline had reduced the number to around 215,000.

^e The figure refers to the Jewish population within pre-Munich boundaries.

^f These figures do not include an estimated 15,000 prisoners of war now in the Soviet Union who are expected ultimately to be repatriated.

^g These figures do not include an estimated 150,000 Polish Jews in the Soviet Union, to whom the option of repatriation has been made available.

^h Includes the 1939 Jewish population of Bessarabia and Bukovina, which are now in the Soviet Union.

ⁱ Does not include an estimated 40,000-45,000 survivors in Bessarabia and Bukovina. The pre-war Jewish population within present Rumanian boundaries was approximately 520,000. Included in the 1946 figure of 335,000 are 40,000 formerly residing in the two ceded provinces.

^j Includes the 1939 Jewish population of Estonia, Latvia, and Lithuania, estimated at about 250,000.

The United Nations

Meeting of the Security Council¹

PROPOSALS DISCUSSED FOR DRAFTING RESOLUTION ON SPAIN

Excerpts from Remarks at Thirty-seventh Meeting²

COLONEL HODGSON (Australia): Mr. President, I would like to thank you and other members of the Council for your assistance and cooperation in endeavoring to find a resolution which would be generally acceptable. I have distributed the results of those suggestions, and I will read it as it now stands:

"The attention of the Security Council having been drawn to the situation in Spain by a Member of the United Nations acting in accordance with article 35 of the Charter, and the Security Council having been asked to declare that this situation has led to international friction and endangers international peace and security, the Security Council hereby resolves:

"To make further studies in order to determine whether such a situation does exist.

"To this end, the Security Council appoints a subcommittee of five of its members and instructs this subcommittee to examine the statements made before the Security Council concerning Spain, to call for further statements, documents and evidence and to conduct such inquiries as it may deem necessary in order that the subcommittee may report to the Security Council on 31 May 1946, on the results of such studies and especially the facts bearing on the following questions:

"(1) Is the existence of the Franco regime a matter of international concern and not one essentially within the jurisdiction of Spain?

"(2) Is the situation in Spain one which might lead to international friction or give rise to a dispute?

"(3) If the answer to question (2) is 'Yes', is the continuance of the situation likely to endanger

the maintenance of international peace and security?"

Now, the main points to be emphasized are these: first of all, I have cut out the idea of a formal investigation under article 34 so as to enable the proposed body to be brought in under article 29 as a subsidiary organ; and I call it a subcommittee instead of a committee; and the important alterations are that I am deleting the passage: "to call for further written statements and documentary evidence from Members of the United Nations and from the Franco regime", so that the text reads: "to call for further statements, documents and evidence and conduct such inquiries as it may deem necessary".

Then, to meet the point that probably 17 May was too early—that date was originally selected arbitrarily—the date has been changed to 31 May, that is, a month from the presentation of the amendment. Some of the delegates may desire, instead of fixing a date, to say "as early as practicable."

The last point is that it was felt by some delegates that the subcommittee should not and could not itself make a finding on those three questions, or make recommendations on these three questions, but should present the facts so that the Council itself could decide and make its own decision on the facts as ascertained and presented by the subcommittee.

I take it that there may be other suggestions and other proposals which will come out in the course of the debate.

MR. STETTINIUS (United States of America): My Government has been giving very careful study to what has been said during the first meetings of the Security Council on the situation in Spain. We have been closely following the entire

¹ In session at Hunter College, New York, N.Y., since Mar. 25, 1946.

² Held on Apr. 25, 1946.

Spanish problem and have accumulated information based upon first-hand observations of our representatives in Spain. Our information on many of the specific points which have been brought forward by the Polish Delegate is quite different from his and does not support many of his conclusions.

On the basis of our own information and the information so far developed here in the Security Council, we cannot agree with those of his conclusions which seem to suggest that there is a situation in Spain requiring action under articles 39 and 41 of the Charter.

Our disagreement with many of the facts and the conclusions already submitted does not mean that our frequently expressed views on the Franco regime have changed in any way. It is clear that there is a wide divergence here as to the facts themselves and as to the interpretation which should reasonably be given to these facts. It is essential that actions of the Security Council in such matters as this should be based on factual information which has first been examined in detail and, so far as possible, agreed upon by the Security Council.

For these reasons my Government believes that the Council would not, on the basis of the information now before it, be warranted in adopting the Polish resolution in its original form. While I have just heard the revised proposal of the Delegate for Australia, I am happy to say that such a proposal would be agreeable and satisfactory to the United States of America, possibly with minor modifications which he himself has just suggested.

We believe that there should be a committee of the Council charged with the responsibility of obtaining facts relating to the situation in Spain so that the Council may, on a sound basis, meet its obligation to determine whether or not continuance of the situation is truly likely to endanger the maintenance of international peace and security.

My Government hopes that the committee will give particular attention to the facts as to the presence of Nazis in Spain. The possibility of their representing a potential threat has been emphasized here in our discussions.

Before the end of the war and since, we, the United States Government, have been studying and putting into effect with other interested governments plans for meeting this very vital and important problem. Through the diplomatic rep-

resentatives of the interested governments in Madrid, we have been able to persuade the Spanish Government to aid in repatriating those obnoxious Germans. With the cooperation of the French we were able to repatriate to Germany by rail, early in February of this year, nearly 1,300 Germans who had served as guards on the French-Spanish border and who went to Spain after the liberation of France. In addition to these, we have given the Spanish Government the names of about 500 obnoxious Nazis. They produced of these 500 only approximately 150.

There is now a growing reluctance on the part of the Spanish Government to cooperate in this program. For example, the British authorities arranged for a ship to call at a Spanish port early in March of this year, which was on its way back to Germany and had places for approximately 500 additional passengers. The Spanish police produced only a small fraction of the persons who had been named by us to the Foreign Office for removal on that ship.

We estimate that, including the persons so named to the Spanish Government who have not yet been deported, there remain about 2,200 such Germans of all categories. We propose to continue our efforts to bring about the removal of these Germans and will, of course, give full details of the information in our possession on this matter to the committee which is under discussion to be set up by the Council.

I think it is very important that, when the committee makes its report to the Council, it provide us with the facts developed by it, so that the Security Council itself may make its own determination, based upon these facts.

I believe that the Security Council might well consider directing the committee to report to us not only at the conclusion of its first study, but, if necessary, from time to time thereafter, whenever they may feel that information has been brought to light, to their attention, or developed by them, that would warrant the Council's immediate attention. In this way, we would have the means of being continually and accurately informed of the developments in Spain in relation to the Charter of the United Nations.

MR. GROMYKO (Soviet Union) (*Speaking in Russian; translation*): In summing up what I have said at this meeting of the Security Council, I would like to make the following statement.

The declaration of the Delegate for Poland, Dr. Lange, and also the discussions which have taken place in the Security Council on the question raised by the Polish Delegate in his letter of 8 and 9 April, leave no doubt that the Fascist regime of Franco at present existing in Spain is indeed a serious danger for international peace and security.

In view of this fact there is no need to set up any kind of commission to study the question. In the presence of an abundance of facts and evidence which confirm the rightness of the accusation brought against the Fascist regime of Franco by the Delegate for Poland, the setting up of a commission might have a negative effect on world public opinion, as well as on the democratic forces of Spain herself. It would be impossible to justify the setting up of such a commission in the eyes of the public opinion of the world, which demands the complete severance of relations with the Franco regime, and not delays, for which it is impossible to find any justification. For these reasons I declare myself opposed to the proposal to set up a commission.

MR. VAN KLEFFENS (Netherlands):

I only have now to raise two points in connection with the wording of the revised Australian proposition.

The first is that I am asking myself whether it would not be preferable to strike out the time limit of 31 May. No doubt the committee will work with all reasonable dispatch but I feel that certain matters cannot very well be dealt with on the basis of a timetable, and I do not see why the committee should present its report on that particular date of 31 May. If the committee is ready before that date, so much the better. Why should it not then come forward at once with its report?

Moreover, there is in session at this moment in Paris an important conference. I do not know whether that conference will or will not deal with the case of Spain, but I think that we should avoid any possibility, however remote, of parallel action on different lines. That could only create confusion, and we are here to try to straighten out questions, not to confuse them. This, too, seems to me to make it advisable not to set a time-limit for the committee's labors.

May I therefore move the deletion of the words "on 31 May 1946"?

In the second place, the new text of the Australian proposal contains a new notion, a notion which is not known to the Charter, namely, the term "matter of international concern", which you will find under question (1). I think that we should not introduce in such an incidental way notions which do not find support in the Charter. If we did that sort of thing, we would risk to deviate from the Charter, and I should be glad if the Australian Delegate could see his way to delete in question (1) of his amended text the words "of international concern". It does not alter the question in any sense, but in doing so we avoid the terminology which might be dangerous or misleading.

MR. BONNET (France) (*Interpretation*): From the beginning of the discussions of this Council on this question there have been divergencies of views between the members, and these divergencies still persist today.

But it seems to me that there has been a certain slight measure of unanimity at least on one point. All those who have spoken have at one time or another expressed their moral condemnation of the Franco regime. If today we adopt a provisional resolution which will enable us to continue our work on this problem, I think that we should note with gladness this rare unanimity among our members, and I think that we should also express in some way our sense of affection and friendship for the Spanish people who have placed their hopes in the United Nations. I would therefore ask the Delegate for Australia to accept an amendment to his resolution in this sense.

The resolution put forward by Colonel Hodgson is short and concise; the first paragraph recalls the demand made to the Council by the Polish Ambassador; the rest of the resolution, I think, contains a good deal of repetition.

The second paragraph says that the Security Council resolves to make further studies in order to determine whether such a situation does exist, that is, the situation mentioned in the first paragraph. After that the draft of Colonel Hodgson puts three questions which seem to me to repeat the point made earlier in the draft, and which seem to me really all to boil down to one single point.

And so it seems to me that the substance of this resolution is the question of ascertaining whether the Spanish situation constitutes a danger to international peace and security. I ask myself whether

this series of questions at the end of the text is necessary. They seem to me to be rather negative and restrictive because I think that there are many other questions which the committee might have to deal with. To mention only a few, it might have to deal with the question whether this Franco regime set up with the help of the Axis still adheres to the principles of the Axis; and if so, whether these principles held by the Franco regime constitute a threat to democratic regimes.

I could frame, in a short time, a dozen other such questions which it might be useful for the subcommittee to examine. I think, therefore, that it might be desirable to give this proposed subcommittee other possibilities, a wider scope for its study than that envisaged by the Delegate for Australia, and I would therefore ask the Delegate for Australia whether he would be prepared to consider dropping the three questions which form the conclusion of his draft.

Colonel Hodgson said that he wanted to give the subcommittee the greatest possible scope, the greatest possibilities for its work.

Let us add some implied answer as to what measures might be prescribed. I would suggest, therefore, that, if the Delegate for Australia is prepared to drop the three questions enumerated in his text, I would ask him to add after the words "on the results of such studies" the words "and on practical measures which the United Nations might take in this matter." I think that such a text would be short and modest.

Instead of continuing the discussion which has already taken a good deal of our time, we should, by adopting such a text, refer to five of our number the task of doing this preparatory piece of work, of getting supplementary information from whatever governments are able to supply it, and of reporting back to the Council as soon as possible so that the Council can, as I hope it will after convincing those colleagues who are still in doubt of the necessity of the United Nations intervening in the Spanish question, then reach a unanimous conclusion.

MR. LANGE (Poland): The problem before us, therefore, is to find some basis for international action. I do not believe that this can be reached within the next 15 minutes nor even within the next hour. This requires study by the different delegations, and perhaps also by their governments. In order to prepare for unanimous action, I should suggest that this Council appoint a subcommittee,

the purpose of which is to reach a basis for such unanimity. On one side we have the proposal of a committee for investigation; on the other side we have in opposition to this committee of investigation a committee of the type which I propose that would consider the resolution I have presented, the different procedural proposal of our Australian colleague, and try to come to this Council with a resolution which presents recommendations of practical steps to be taken by the United Nations.

Now, in making such a proposal I do not withdraw my original resolution, the resolution that the United Nations through collective action of theirs break diplomatic relations with the Franco regime. The Government of Poland considers such an act the very minimum of what has to be done. However, in the interest of reaching a unanimous decision and action, I am perfectly willing to submit this resolution, like all other resolutions which were presented here, to such a committee for study, or draft, or whatever you call it, which would in a few days' time report to us its recommendations as to the proper action to be taken.

In conclusion, I would once more like to underline the fundamental unanimity which was expressed during the debates of this Council on the Franco regime, the moral condemnation which was expressed by every member who took part in the debate. Again, I hope that the people of Spain will take notice of this unanimity.

THE PRESIDENT:¹ Can I have the written proposal of your motion, Mr. Lange?

COLONEL HODGSON (Australia): With regard to the various suggestions which have been made, I am quite in accord with the wishes of the Delegate for the Netherlands. I had a doubt myself as to specifying a date. I thought as an alternative we might as well have used the words "as soon as possible" or "as early as practical" so that it remained open to the discretion and good sense of the committee. The whole point of fixing a date is due to the fact that I did not want the world or anybody to have the impression we were trying to delay.

Now, about the matter of "international concern", on that I quite agree and that is as I had it originally. But you come to this point: in parliamentary procedure you usually only accept an amendment if you know it is in accordance with the wishes of the majority of the rest of the com-

¹ Afifi Pasha (Egypt).

mittee. I have not heard any view expressed in favor of the suggestions of the French Delegate. I am prepared to go so far as to drop the three questions, because the gist of these questions is really contained in paragraph 1. But when the Delegate for Poland suggests that we might have a subcommittee to get together, to decide upon measures to be taken, we are faced with a fundamental difference in principle. In other words, my conception is that it is for this Council, and this Council alone, to make just and impartial decisions and to ascertain facts, not a subcommittee.

Now for a subcommittee to recommend practical measures means, in effect, that that committee makes decisions instead of the Council. Even to suggest practical measures means that they have reached a decision on the facts.

There is this point, too. I do not know yet what the composition of the subcommittee will be. I have heard that there is a likelihood or that it would be preferable, say, for four of the permanent members not to be represented on it. Would it be right for this Council to give a subcommittee authority to make recommendations as to what the permanent members should do, without their really having a say? I think not. That is where I cannot reach across to the Delegate for France and the Delegate for Poland with a view to reaching unanimity.

There is also this point. Even if I did accept that, the delegate for the Soviet Union says that no commission or subcommittee would be acceptable to him. Even then we still would not have reached unanimity because he objects to any commission or any committee.

At the same time, if it is the wish of the Council that we might have another consultation and try to reach an agreement, I am only too happy to do so.

MR. LANGE (Poland): The wording might be changed somewhat if a member of the Council desires it. The draft proposal of the resolution is this:

The attention of the Security Council having been drawn to the situation in Spain by one of the United Nations acting in conformity with article 35, paragraph 1 of the Charter, the Security Council,

(1) Takes into account the unanimous condemnation of the Franco regime expressed during the debate;

(2) Appoints a subcommittee of five of its mem-

bers to study the basis for unanimous decision to be reached by the Council and to prepare a draft resolution containing recommendations as to the practical steps to be taken.

MR. BONNET (France) (*Interpretation*): I would like now to refer to the three amendments that I have brought forward and which I think the Council wishes to have considered.

The first amendment that I proposed to the Australian amendment was that we should note our unanimity in condemning the Franco regime and that we should greet the Spanish people and express our hope that they would soon be represented among us.

The second was that we should drop the three questions enumerated at the end of the Australian text.

The third was that a subcommittee should be set up, a working committee, to make proposals regarding practical measures that the Council might take in this matter. I think that such a proposal of a subcommittee to suggest practical measures is not at all a scandal, as has been suggested.

We could discuss these amendments at very great length. I think, indeed, that they should be studied, and I think, in particular, that the requirement of unanimity, which has been stressed by the Delegate for Mexico and Poland, is very important.

I think that it might be enough to make one or two further changes in the text of the Australian proposal as I have amended it, and it seems to me that that is what Mr. Lange has proposed. I think there is a little misunderstanding as regards the proposal put forward by Dr. Lange. I believe that the Delegate for Australia is under the impression that this proposal of the Polish Delegate is of a final nature and intended to replace his own amendment. For a time, too, I wondered whether that might be the case, but clearly I see that the intention of the Polish Delegate is to propose a drafting committee. Is this not correct?

MR. LANGE (Poland) (*Translation*): The committee would work for a period of two or three days.

MR. BONNET (France) (*Interpretation*): Even if it was only in session for a period of two or three days my three amendments could be referred to it. This drafting committee could make proposals tomorrow afternoon on the basis of the

Australian text, and, as a result of these proposals, we might be able to reach a unanimous decision tomorrow.

I think that the Council should be able to accept my proposal, which is really Mr. Lange's proposal amended and altered. We have a number of amendments before us. We could, of course, consider them now, but we could also refer them to this drafting committee, and I would insist upon the desirability of having the drafting committee consider these amendments today and tomorrow morning, and that the Security Council itself should meet to discuss them tomorrow afternoon, after the drafting committee has done its work.

MR. BONNET (France) (*Interpretation*): I should like to reply very briefly to the delegate for the Netherlands and to say that I do not see how my proposal can be exclusively opposed to the proposal of the Australian Delegate. I do not think these two proposals are mutually exclusive.

Is there any reason why a greeting to the Spanish people should not be included in the Australian proposal? Is there any reason why this text should not include a statement that the members of the Council condemn the Franco regime? If so, I should not be able to vote for the Australian proposal, but I do not think that the inclusion of such provisions is impossible at all.

Again, are we to consider that the dropping of the two questions at the end of this text is impossible? If that were so, I should insist on many other questions being added, but I think it is perfectly possible.

I think that the Australian text can remain with the amendments proposed and with the addition, the small addition, which I proposed, and I must say I see no contradiction between my proposals and those of the Australian Delegate and I think the Australian Delegate himself has admitted that there is no such contradiction. If it were held that my amendments were irreconcilable with the Australian text, then I would suggest that it would be impossible ever to propose amendments to any text in parliamentary procedure.

MR. VAN KLEFFENS (Netherlands): I only want to speak very briefly. Of course the Australian resolution does not exclude the insertion of the word "greeting" to the people of Spain nor does it exclude that the three questions at the end be suppressed, but where the opposition between the two

resolutions comes in is in what the Delegate for France wanted to add, namely, "that the subcommittee may report to the Council . . . on the practical measures which the United Nations could take in this matter". The Australian proposition goes no further than a study of facts, but we must not prejudge the question whether or not steps are to be taken, and this is the ground on which I stood in my previous estimation of the debate.

COLONEL HODGSON (Australia): I am not sure what we are getting to and what we are going to do when we get there, but I said earlier this afternoon that I would be only too happy to meet together with the Delegates for France and Poland with a view to reaching an agreement on this text with amendments, with a view to a vote.

I thought the Delegate for the United Kingdom made it perfectly clear and I was prepared to accept that, but from the remarks of the Delegate for the Soviet Union it is very clear that there is a fundamental difference between us even in the conception of drafting. In other words, the Delegate for Poland wants, and I take it that is still his idea, to embody in his draft certain resolutions, certain things which will prejudge the whole matter and cause us to take action. This will undermine the case which is embodied in the resolution of the Australian Delegation.

So, if we want to get unanimity regarding the duties of the drafting subcommittee on which we are going to vote I do not see any point in going on with it and I would rather see a vote taken on the amendment as it stands.

I would like to have a meeting with the Delegate for France halfway, so to speak, if that would suit the Delegate for Mexico. I would drop those three questions if the Delegate for France is prepared to drop that particular sentence which he wants added, and if he can agree on that straightaway. He is more than half prepared to agree now; I think we can have a vote on that.

I would like to say that instead of going halves, I am prepared to offer 75 for 25, and I am prepared to throw in the clause of condemnation of the Franco regime similar to the terms of the resolutions and declarations of San Francisco, Potsdam, and London, or such terms as we can mutually agree on along those lines.

THE PRESIDENT: I think I am going to propose the adjournment until tomorrow at 11 o'clock, and in the meantime I think the Delegate for Australia will see the French Delegate and perhaps the Pol-

ish Delegate tonight. If they can arrive at any agreed proposal it would be quite all right, otherwise we will have tomorrow to vote on the resolution of the Australian Delegate and on the amendments made by the Delegates for France and Poland.

COLONEL HODGSON (Australia): I would like first to ask a question of the French Delegate. Is

he prepared to accept my suggestion? If so, I would like a vote immediately.

MR. BONNET (France) (*Interpretation*): When I proposed a drafting committee my object was that the Council should be enabled to reach agreement, for I am firmly persuaded that one can reach agreement usually, when concessions are made on both sides.

Remarks Made at Thirty-eighth Meeting¹

THE PRESIDENT: Now we come to the Spanish question. Does any representative wish to speak?

COLONEL HODGSON (Australia): In accordance with the request of the Council yesterday afternoon, I beg to report that the Delegates for France, Poland, and Australia met with a view to reaching an agreed draft resolution to be placed before this Council. I am pleased to say that we were successful. With your permission I will read the resolution as it now stands. There are two minor corrections which I am going to make in the text you have got, which have been suggested to me and which I think will make it precise. I will point them out to you as I go along.

"The attention of the Security Council has been drawn to the situation in Spain by a member of the United Nations acting in accordance with article 35 of the Charter, and the Security Council has been asked to declare that this situation has led to international friction and endangers international peace and security.

"Therefore, the Security Council, keeping in mind the moral condemnation of the Franco regime by the Security Council (instead of 'by,' 'in' the Security Council), and the resolutions concerning Spain which were adopted at the United Nations Conference on International Organization at San Francisco and at the First General Assembly of the United Nations, and the views expressed by members of the Security Council regarding the Franco regime, hereby resolves:

"to make further studies in order to determine whether the situation in Spain has led to international friction and does endanger international peace and security, and if it so finds, then to determine what practical measures the United Nations may take.

"To this end, the Security Council appoints a subcommittee of five of its members and instructs this subcommittee to examine the statements made before the Security Council concerning Spain, to receive further statements and documents (instead of 'to call for,' the word 'receive'), and to conduct such inquiries as it may deem necessary, and to report to the Security Council as soon as practicable."

There are three points I might mention. You will see that in paragraph 2 it brings in the request of the French delegation, and other members, that there should be some mention of the moral condemnation, requested expressly by all the delegates.

The second point is in paragraph 4. The main substance of this resolution is that it is for this Council, and not the subcommittee, to determine what practical measures the United Nations might take on the finding that it has led to international friction and does endanger international peace and security.

In paragraph 4 you will see that very wide powers of discretion are given to the subcommittee to conduct such inquiries as it may deem necessary; that is, it will itself decide how and when and where the inquiry is to be made.

MR. DE LA COLINA (Mexico): In order to have time to study carefully the new text of the Australian amendment, and also to permit the representatives of the members of the Security Council to obtain definite instructions from their respective governments, I move that we adjourn the vote until an early date, let us say Monday, if that is agreeable to you.

THE PRESIDENT: Do you agree to the postponement of the vote until Monday at three o'clock?

MR. VAN KLEFFENS (Netherlands): May I just ask a question? In order to understand this draft resolution correctly, I should like to ask the

¹ Held on Apr. 26, 1946.

Australian Delegate why this resolution speaks not only about keeping in mind the moral condemnation of the Franco regime, which I think is perfectly right, but, in addition to that, the views expressed by members of the Security Council regarding the Franco regime? I was wondering whether that was not a repetition. Perhaps I am mistaken.

COLONEL HODGSON (Australia): Yesterday we had a close look at this. You will note the two

concepts there. The first one was the desire of the French Delegate for the moral condemnation. The original resolution read that the subcommittee had to bear in mind the views expressed, that is, all the views in the whole of the debate for and against, and the question of domestic jurisdiction.

So the first is the narrow concept and that last portion, the views expressed, deals with all the views on every aspect of the question expressed during the debate.

Remarks Made at Thirty-ninth Meeting¹

THE PRESIDENT: The first item of the agenda is the Spanish question. I think we can close the debate and put this question to vote if no member wants to speak.

MR. LANGE (Poland): In the name of the Polish Delegation I want to declare that we are ready to support the Australian resolution. However, we are very anxious that this proposed subcommittee does really work and does not prove a means of indefinitely shelving the issue, as certain fears were expressed during the last meeting of our Council.

I should like, therefore, to propose two minor amendments. One is that the date be added when the report is due; for instance, 31 May. Furthermore, in the very beginning of the second paragraph we read the following: "Therefore the Security Council, keeping in mind the moral condemnation of the Franco regime in the Security Council". I would propose that we say either, "by the Security Council" or "the unanimous moral condemnation of the Franco regime in the Security Council"—because as it stands there may be a certain misunderstanding. It might be understood, for instance, that one of the members of this Council condemned the Franco regime and all the others approved of it. Since there was an unanimity of opinion on the subject, I think this unanimity of opinion somehow should be registered in the resolution. I want to ask the Delegate of Australia whether these two changes would be acceptable to him.

In general, I again want to express what I had the opportunity of saying before, that there is a certain unanimity in the Council as to the attitude of the member governments towards the Franco regime, and we support this resolution in spite

of certain fears which were expressed in this Council that it may mean indefinite postponement of the issue, because we attach great importance to the unanimity of action by the Council in this matter, and we want to give the Council a chance to act unanimously.

Of course, this does not mean that we withdraw our earlier resolution demanding collective breaking of diplomatic relations with Spain. We understand that our earlier resolution will again come under discussion and vote after this committee has presented its report.

MR. HASLUCK (Australia): So far as the Australian Delegation is concerned, we are quite ready to accept the suggestions which the representative of Poland has made, so long as those suggestions are acceptable to other members of the Council. I should like to say this, since the representative of Poland has raised the question, that in moving this resolution the Australian Delegation also fully intended that this committee should work. Our one object is that this committee should assist the Council to reach a decision as quickly as possible.

On the particular point, regarding unanimous condemnation, if there are no other objections from other supporters of the resolution, we are quite prepared to accept the suggestion in regard to the insertion of the word "unanimous" before "moral condemnation". With regard to the second suggestion, for inserting a date, I recall that in the second resolution we put forward we had until 31 May, and we should be quite happy to see that restored. On that point, I think it is worth bearing in mind that, if the committee found itself unable to complete its work by May 31, it could report back on that day and ask for an extension of time.

¹ Held on Apr. 29, 1946.

MR. GROMYKO (Soviet Union) (*Speaking in Russian; translation*): Before the draft resolution proposed by the Delegate for Australia is put to the vote, I consider it necessary to make the following observations:

In spite of some changes in the text of the Australian draft resolution, its contents remain unchanged. What this draft resolution contains is a proposal to inquire into the existing situation in Spain in order to ascertain whether the Fascist Franco regime existing in Spain constitutes a threat to international peace. This proposal was made in spite of the fact that the discussion in the Security Council on the question raised by the Polish Delegate had fully confirmed the fact that the existing Fascist regime in Spain constituted a serious threat to the maintenance of international peace and security.

The adoption of the Australian draft resolution will mean that the Security Council, instead of taking effective measures, will take the path of delays and inaction in regard to Fascism in Spain, which the public opinion of the world will fail to understand and even more to justify.

In view of this, the Soviet Delegation continues in its strongly negative attitude towards the draft resolution proposed by the Delegate for Australia.

Bearing in mind, however, that some members of the Council declare that they are still unsatisfied with the information at the disposal of the Council regarding the question raised by the Delegate for Poland, and bearing in mind in this connection that my voting against the Australian draft resolution would make its adoption impossible, I abstain from voting.

I consider it necessary to draw the attention of the Security Council to the fact that my abstention from voting on this matter may in no way be regarded as a precedent capable of influencing in any way the question of the abstention of permanent members of the Security Council.

MR. DE LA COLINA (Mexico): I am prepared to vote for the final text of the Australian resolution as now submitted to the Council, but, in order to clear up any possible misunderstandings of Mexico's position concerning my decision to vote in favor of this resolution, I wish to make the following statement:

My Government has considered it vital to avoid any division on this issue, as we believe that lack

of unanimity will only give aid and comfort to the Falange government. In the hope of reaching a unanimous decision, we have been willing to accept the proposal concerning the creation of a subcommittee, trusting that its findings may persuade members of the Council who still doubt whether conditions in Franco Spain constitute a situation likely to endanger the maintenance of international peace and security. We continue to believe that Franco Spain is a potential menace to international peace and security, because it is a center of world-wide Fascist activities and a haven of Nazi agents.

We are disposed, however, in the interest of unity to join in this resolution with the other members of the Council who are not convinced that such a danger to international peace and security exists.

MR. VAN KLEFFENS (Netherlands): I am glad that, thanks to the attitude of the Russian Delegate, I need not go into the question as to whether this is a question of procedure or not, but I want it to be understood that, if in the future a similar position arose on some other matter, I should feel quite free to express an opinion, if necessary, on the question as to whether it is a matter of procedure or not.

THE PRESIDENT: The Council now has to consider only one motion, the motion of the Australian representative which has been amended now and which reads finally as follows:

"The attention of the Security Council has been drawn to the situation in Spain by a Member of the United Nations acting in accordance with Article 35 of the Charter, and the Security Council has been asked to declare that this situation has led to international friction and endangers international peace and security.

"Therefore the Security Council, keeping in mind the unanimous moral condemnation of the Franco regime in the Security Council, and the resolutions concerning Spain which were adopted at the United Nations Conference on International Organization at San Francisco and at the first General Assembly of the United Nations, and the views expressed by members of the Security Council regarding the Franco regime, hereby resolves:

"to make further studies in order to determine whether the situation in Spain has led to interna-

(Continued on page 803)

Memorandum on the Objectives of the Economic and Employment Commission¹

I

The Charter of the United Nations states that the United Nations are determined "to promote social progress and better standards of life in larger freedom", and "to employ international machinery for the promotion of the economic and social advancement of all peoples".

The United Nations shall, according to Chapter IX, promote "higher standards of living, *full employment*, and conditions of economic and social progress and development". (Article 55a). The task of promoting full employment is considered so important that it is stipulated in the Charter itself. To obtain this objective, Chapter X, Article 68 provides for the establishment of commissions in economic and social fields by the Economic and Social Council: "The Economic and Social Council shall set up commissions in *economic* and social fields . . . and such other commissions as may be required for the performance of its functions."

* * *

The Preparatory Commission Report presented to the General Assembly for its first session held in London on January 10th included in Chapter III, Section 4, "Considerations and Recommendations concerning the organization of the Economic and Social Council", certain recommendations for the Economic and Employment Commission for its consideration, as follows:

Economic and Employment Commission

18. The Economic and Social Council will require an advisory commission to assist the Council in fulfilling its responsibilities in the economic field under Article 55 of the Charter. This commission will be especially concerned with questions which do not fall solely within the scope of any of the other commissions or of any single specialized agency.

19. The Council should establish an Economic and Employment Commission with the following as its principal terms of reference.

20. The Commission would advise the Economic and Social Council on:

- (a) economic questions of a general character; and
- (b) economic questions involving concerted study and action by more than one specialized agency or commission of the Council.

21. In particular it will be the function of the Commission to advise the Council on:

- (a) the promotion of world-wide full employment and the co-ordination of national full employment policies;
- (b) the prevention of economic instability;
- (c) urgent problems of economic reconstruction; and
- (d) economic development of under-developed areas.

22. The Commission will require several specialized committees to assist it in its comprehensive work. Attention is drawn to three such committees which will probably be required and for which brief terms of reference and explanatory notes are set out in the following paragraphs.

Employment Committee

23. The promotion of full employment is a function which cannot be divorced from the work of the main Commission in the field of general economic policy. Nevertheless there are special highly important aspects of employment which should be handled by a special committee:

- (a) study of national and international methods of promoting full employment, and related economic and administrative problems; and
- (b) analysis of information relating to employment and unemployment in the various countries.

¹ Document E/EMP/3, Apr. 26, 1946; original text in English.

Balance of Payments Committee

24. Since trade, exchange and employment policies of states will be largely affected by their balance of payments, it will be desirable for an expert group to study and advise the Commission on balance of payments problems, especially in so far as they require for their solution concerted action by governments and specialized agencies.

Economic Development Committee

25. The Commission will require expert advice on the long-term development of production and consumption throughout the world and, in particular, on—

- (a) the methods of increasing production, productivity and levels of consumption in the less-developed regions of the world;
- (b) the effects of industrialisation and technological change on world economic conditions, and the adjustments required; and
- (c) the co-ordination of the activities of the commissions or specialized agencies concerned.

On the proposition of the Committee on the organization of the Council, the Economic and Social Council adopted the following resolution establishing the Economic and Employment Commission, as follows:

ECONOMIC AND EMPLOYMENT COMMISSION

Resolution of the Economic and Social Council of 16 February 1946, (Document E/20 of 15 February 1946), on the establishment of an Economic and Employment Commission, supplemented by the action taken by the Council on 18 February 1946, completing paragraphs 9 and 10 concerning the initial composition of this commission.

1. The Economic and Social Council, being charged under the Charter with the responsibility of promoting higher standards of living, full employment, conditions of economic and social progress and development and solutions of international economic problems, and requiring advice and assistance to enable it to discharge this responsibility,

ESTABLISHES AN ECONOMIC AND EMPLOYMENT COMMISSION.

2. The Commission shall advise the Economic and Social Council on:

- (a) economic questions of a general character;
- (b) economic questions involving concerted study and action by more than one specialized agency or commission of the Council;
- (c) the world economic situation and economic problems requiring immediate attention from time to time.

3. In particular it will be the function of the Commission to advise the Council on:

- (a) problems of economic reconstruction of devastated areas and other urgent economic problems arising from the war, including methods of meeting short-term situations most consistently with the requirements of long-term policy;
- (b) the promotion of world-wide full employment, the coordination of national full employment policies and the prevention of economic instability;
- (c) problems of economic development including particularly those relating to under-developed areas.

4. The Commission shall make studies and recommendations and provide information and other services at the request of the Economic and Social Council.

5. The Commission shall establish the following sub-commissions:

- (a) A sub-commission on Employment to study national and, in consultation with the sub-commissions on Balance of Payments and Economic Development, international methods of promoting full employment and related problems, and to analyse information regarding employment and unemployment in the various countries;
- (b) A sub-commission on Balance of Payments to study and advise the Commission on balance of payments problems, especially insofar as they require for their solution concerted action by governments or by more than one specialized agency;
- (c) A sub-commission on Economic Development to advise the Commission on the long-term development of production and consumption throughout the world, and in particular, on:

- i) the methods of increasing production, productivity and levels of consumption in the less-developed regions of the world;
- ii) the effects of industrialization and technological change on world economic conditions, and the adjustments required.

6. The Commission may also make recommendations to the Council concerning any other sub-commission which it considers should be established.

7. Not more than three members, not members of the Commission, may be appointed to a sub-commission without the previous approval of the Council.

8. The Commission may propose to the Council any changes in its terms of reference or in those of the sub-commissions.

9. Initially, the Commission shall consist of a nucleus of nine members appointed in their individual capacity for a term of office expiring on 31 March 1947. They are eligible for reappointment. In addition to exercising the functions enumerated in paragraphs 2, 3, 4 and 8, the Commission thus constituted shall make recommendations to the Second Session of the Council on the definitive composition of the Commission and on the desirability of establishing a sub-commission on economic reconstruction of devastated areas.

10. The Council hereby appoints the following persons as initial members of the Commission:

- | | |
|------------------------------|----------------------------|
| 1. Mr. Luis Angel Arango | Colombia |
| 2. Dr. Franklin L. Ho | China |
| 3. Dr. Alexander Kunosi | Czechoslovakia |
| 4. M. Fernand van Langenhove | Belgium |
| 5. Dr. Alexander Loveday | United Kingdom |
| 6. Mr. Isador Lubin | U.S.A. |
| 7. Miss R. Zafirion | Greece |
| 8. Mr. W. A. Mackintosh | Canada (transmitted since) |
| 9. | U.S.S.R. |

and, in addition, persons whose names will be transmitted to the Secretary-General, not later than 31 March 1946, by the members of the Council for Canada and the U.S.S.R.

II

The Preparatory Commission was anxious that the Commission should be especially concerned

with questions which do not fall solely within the scope of any of the other commissions or of any single specialized agency. The Economic and Social Council is also concerned with the coordination of the Specialized Agencies and should study carefully the scope of their activities.

It is to be remembered, however, that the Economic and Social Council has no power concerning the coordination of policies, which belongs solely to the General Assembly.

1. The constitution of the International Labour Organisation provides that this organisation is established for the promotion of improvement of the conditions of labour,

"by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of labour supply, *the prevention of unemployment*, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of the workers when employed in countries other than their own, recognition of the principles of freedom of association, the organisation of vocational and technical education and other measures."

In the light of these objects, the International Labour Organisation is taking care of the problems of unemployment from the social point of view, from the point of view of the conditions of labour, and even in the Declaration concerning the aims and purposes of the International Labour Organisation adopted at Philadelphia on 10 May 1944, the text of which is annexed to the proposed amendments to the Constitution (Report of the Conference Delegation on Constitutional Questions on the work of its first session 21 January-15 February 1946.) The obligation of the I.L.O. to further among the nations of the world programmes which will achieve full employment and the raising of standards of living is put also in the framework of policies in regard to wages and earnings, hours, and other conditions of work.

There will be no overlapping of tasks and activities if the Economic and Employment Commission considers the problem of full employment in connection with economic questions of a general character.

2. The governing principles of the proposed International Trade Organisation outline expansion

of world trade and employment in the following terms:

"1) It is recognized that:

a) In all countries high and stable employment is a main condition for the attainment of satisfactory levels of living.

b) The attainment of approximately full employment by the major industrial and trading nations, and its maintenance on a reasonably assured basis, are essential to the expansion of international trade on which the full prosperity of these and other nations depends; to the full realization of the objectives of all liberal international agreements in such fields as commercial policy, commodity problems, restrictive business practices, monetary stabilization, and investment; and, therefore, to the preservation of world peace and security."

This organisation is approaching the problem only from the trade and commercial aspects by considering the promotion of international commercial cooperation, establishing machinery for consultation and collaboration among member governments regarding the solution of problems in the field of international commercial policies and relations.

In the discussion of the Committee on the organisation of the Council (London, 15 February 1946), it was pointed out by the chairman that no international trade organisation was likely to be in being before 1947, and that it would be created against the background of the Commission with which its activities would have to be coordinated. The Dutch member reminded, in this connection, "that the proposed international trade organisation would not deal with problems of employment. The Economic and Employment Commission, in its turn, would not be particularly concerned with questions of commercial policy."

3. The aim of the Organisation on Food and Agriculture is to expand and improve production, to increase employment, to raise levels of consumption in the field of production, distribution and consumption of food and other agricultural products. The Organization on Food and Agriculture is studying the relation of agriculture to world economy and the problems of agricultural population and farm labor. The social factors which are in the scope of this organization include the distribution of population between agriculture and industry, population movements.

Considering this, there is no overlapping of functions but a necessity of coordination so far as unemployment in agriculture is concerned.

4. The purpose of the International Bank for Reconstruction and Development is "to promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation." (Article I, iii). The main task of the Bank is to assist in the reconstruction by facilitating the investment of capital for productive purposes, and by so doing, to contribute to the raising of productivity, the standard of living, and conditions of labour.

The coordination between those above-mentioned specialized agencies in the field of promotion of full employment is therefore imperative.

Scope and Aims of the Economic and Employment Commission

During the discussions in the Committee on the Organization of the Council, ideas were expressed by the members which the Committee may consider as interpretation of the adopted resolution and as guidance for future activities:

Coordination of work of Commission and Specialized Agencies

"Without deviating from the recommendations of the Preparatory Commission which referred to the necessity of an organ to coordinate the work of the Commissions and the Specialized Agencies, the Committee might recommend that the Economic and Employment Commission should constitute this coordinating body so far as questions within its competence were concerned."

... "The Economic and Employment Commission should have the power to coordinate activities of Specialized Agencies and Commissions within the sphere of its work." (Colombian member).

On the subject of coordination, it was stated that the Coordination Commission proposed in paragraph 35 page 39 of the report would have as its terms of reference the functions suggested in paragraphs 12-15 of Section V of Chapter III. The Commission was expected to establish the means by which the activities of specialized agencies and commissions could be harmonised.

"The Charter provided for two forms of co-ordination. The Council would co-ordinate the activities of the Commissions and the Specialized

Agencies, while the General Assembly presumably on the recommendation of the Council, was to co-ordinate the policies and activities of the whole. It had been felt that it would be difficult for a council of 18 members to undertake direct co-ordination of the policies of specialized agencies which would often include in their membership the fifty-one members of the United Nations. If the recommendations or conclusions of various specialized agencies were conflicting, the General Assembly alone would have power to remedy the situation.

"The co-ordinating functions given to the Economic and Employment Commission in the report of the Preparatory Commission might have to be clarified. But where the policy of specialized agencies was involved, it was intended that the Commission transmit its recommendations to the Council, which would then report to the General Assembly." (Chairman).

"The terms of reference of the Economic and Employment Commission should make it clear that it was required to co-ordinate the activities of all the Commissions and specialized agencies dealing with economic questions, and to make recommendations to the Council regarding the policies of such agencies as the Monetary Fund, the International Bank, the F.A.O., etc. and Commissions such as the Fiscal Commission and the Transport and Communications Commission." (Norwegian member).

"That the question of co-ordination of the activities of specialized agencies should be specifically mention[ed] in the terms of reference of the Economic and Employment Commission. Some of these agencies had powers which amounted to international authority. The Council must have effective means of action if it was to be able to enforce economic policy and ensure that the policies of the specialized agencies were in no way contrary to the aims of the Charter." (Colombian member).

"As regards the question of co-ordination, the discussion seemed to arise as a result of differing conceptions of the composition and character of the Commissions. Some members of the Committee implied the concept that the Commissions would have executive functions and be composed of persons who were executive in character. In referring to "highly qualified persons" he felt that

the Report of the Preparatory Commission meant to imply technical qualifications. The word "expert" had been dropped during the debates at San Francisco, but he did not think that in deleting it, there had been any intention to alter the meaning of the text." (U. S. member).

"The bodies at present termed commissions might well be given the task of supervising the execution of an international convention or of performing administrative functions in pursuance of it.

"In regard to the co-ordination of specialized agencies, the United Kingdom Government did not accept the narrow definition of the word "activities". The Council would require to undertake not only administrative but substantive co-ordination, and it would need to be advised by its Commissions". (U. K. member).

"Specialized agencies existed already in many of the fields covered by the Commission, which would itself be mainly concerned with the co-ordination and integration of the policies of the various agencies. It was, therefore, not inconsistent to create a commission to deal with questions of trade and employment." (Greek member).

Surveys

"It should be the primary task of the Economic and Employment Commission to carry out a comprehensive and detailed survey of world economic conditions, both by independent investigation and by means of questionnaires sent to governments, and to study both the short and long term problems facing each country". It was stated that "before reaching conclusions and making recommendations the Economic and Employment Commission must be fully and authoritatively informed on the following matters:

- a) pre-war material resources of each country and changes due to the war;
- b) main pre-war economic problems of each country and in particular the foreign demand for its products, the level and nature of its imports and the state of its balance of payments;
- c) main problems which each country is facing today as a result of war, occupation, changes in demand, loss of export markets and so on;
- d) measures and resources needed by each country for its economic development:

- e) any other matter that any country would like to bring to the attention of the Council." (Greek member).

"The technical commissions would be the best judge of the most effective way of obtaining the information they required. They should contain experts capable of analysing and interpreting the facts and statistics which in many cases already existed." (U. K. member).

"The Economic and Employment Commission would analyse the work of the different agencies and commissions and prepare the final report of the Council.

"The problem of employment had many social aspects and the Commission might more appropriately be called "Economic and Social Commission" in order not to give the impression that it was restricted to economic problems. It should be in some way the executive body of the Council itself." (Peruvian member).

"The Commissions thus constituted should not be limited to organizational work, but should take up the study of some urgent problems and thus prepare the work for the next session of the Council." (Greek member).

Composition of Commissions and Term of Office of Members

It was suggested that, in view of the fluidity of the position and the fact that the Council might later wish to revise the composition and nature of the Commissions, it would be advisable to make appointments for one year. The solution was to appoint a nucleus of each commission who could make recommendations to the next session of the Council regarding the completion of the membership of each commission.

"A nucleus of each Commission be set up for an undefined term, thus leaving the Council greater latitude to review the position at its next session. The nucleus could, in the meantime, study the question of the final composition of the Commissions, in addition to certain urgent substantive problems." (Chilean member).

The U. S. S. R. member asked "whether the functions of the proposed nuclear Commissions would be purely organisational or whether they would include questions contained in the terms of reference of the Commissions."

"The nuclear bodies would examine the terms of reference of the Commissions, and as far as pos-

sible, lay down a program of work. If, as an expert body, they encountered difficulties regarding the terms of reference or felt that they should be modified, they would report to the next Session of the Council, which would probably be held in May or June. In addition, they would also be invited to make proposals to the Council regarding the personnel of experts required to complete the composition of their Commissions.

"For some Commissions, such as the Economic and Employment Commission, a larger nucleus would be required. If no definite terms of office were laid down, it would be difficult for the Council to remove an expert from office if it saw fit. The term could be fixed on the understanding that it could be extended if necessary." (Chairman).

"The tasks of a nuclear Commission might be threefold:

- a) to examine the terms of reference and report thereon to the Council;
- b) to submit lists of candidates for the final composition of the Commissions;
- c) to deal with urgent problems.

"As regards the third item, he thought the nucleus of members should make material, rather than technical preparation to speed up the work of the Commission, by gathering together the necessary documentation, and making recommendations regarding such questions as premises, secretariat, frequency of meeting, and duration of the Commission.

"If the program of the nuclear Commissions were thus limited, it might be easier to secure agreement as to their membership." (French member).

Addendum to Document E/EMP/3 Memorandum on the Objectives of the Economic and Employment Commission

The following should be added to the end of Document E/EMP/3

Sub-Commission on Economic Reconstruction of Devastated Areas

In the resolution establishing the Economic and Employment Commission (E/28), it is stated that this commission should make recommendations to the second session of the Council on the desirability of establishing a sub-commission on economic reconstruction of devastated areas.

In the discussion leading to this decision, it was

suggested by the U.S.S.R. member that the terms of reference of the proposed sub-commission were not of a sufficiently concrete nature, and that the question required further consideration before a sub-commission could be established which would furnish really effective help to the devastated areas. The question should be postponed until the next session of the Council by which time the countries concerned could present proposals regarding appropriate action.

The Peruvian member, however, suggested that in view of the magnitude of the problems to be studied, a sub-commission might be set up now

with the limited task of gathering data regarding the actual conditions in the devastated areas, in order that more information might be available to the Council to take a decision at its next session.

The U.S.A. member pointed out that the Sub-Commission could not, in any case, be set up until the second session. In the meantime, the initial members of the Commission would examine their own terms of reference and propose any necessary changes. The question of reconstruction must be taken up at latest the second session since the Council had been instructed to report on it to the September session of the General Assembly.

SECURITY COUNCIL—Continued from page 796.

tional friction and does endanger international peace and security, and if it so finds, then to determine what practical measures the United Nations may take.

"To this end, the Security Council appoints a sub-committee of five of its members and instructs this sub-committee to examine the statements made before the Security Council concerning Spain, to receive further statements and documents, and to conduct such inquiries as it may deem necessary, and to report to the Security Council before the end of May."

We can put this Australian motion, amended as I read it now, to a vote.

MR. STETTINIUS (United States): I wish to reserve the position of the United States on the statement Mr. Gromyko has just made. With that

understanding I am prepared to agree that Mr. Gromyko's abstention should not create a precedent for the future.

THE PRESIDENT: I am going to put the motion of the Australian Delegate to a vote.

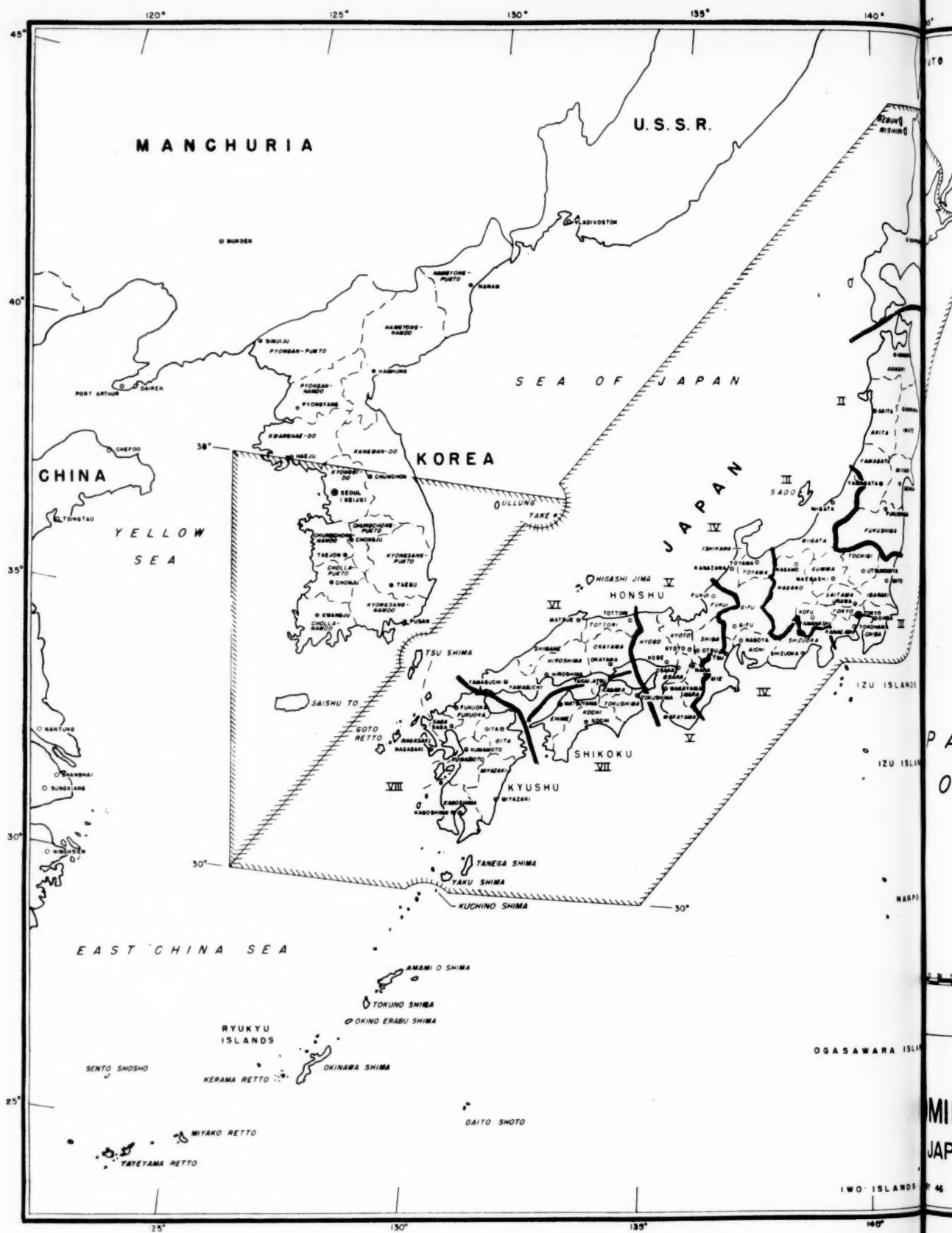
(The vote was taken with the following result: Affirmative, 10; Negative, 0; Abstention, 1.)

THE PRESIDENT: The resolution is adopted. Now we have the question of the subcommittee.

I wish to propose that this subcommittee should be formed of the Delegates of Australia, Brazil, China, France, and Poland. Is there any objection?

MR. LANGE (Poland): I should like to add to your proposal that the Delegate of Australia be chairman of the committee.

THE PRESIDENT: Has anybody any objection? Adopted.



Non-Military Activities in Japan and Korea

ECONOMIC ACTIVITIES IN JAPAN

NATURAL RESOURCES

Agriculture

1. Rice collection remained below schedule. The collection rate improved but by 20 February only 50 percent of the quota had been collected, compared with 80 percent on the same date last year. The shortage of concentrated stock feed hampers egg and milk production.

Fishing

2. More fishing boats were re-activated as a result of repairs and increased allotments of fuel oil. There remains an acute shortage of nets and hooks. The production of shellfish and their products is being revived. Fishermen's cooperatives are being reorganized along democratic lines.

Forestry

3. Annual capacity of sawmills is rated at 5,250,000,000 board feet of lumber. Present indications are that only about 30 percent of this capacity will be attained during the fiscal year 1946-47.

Mining

4. February production of coal was 1,364,000 metric tons, an increase of six percent over the January figure.

Metal mining industries continued on a maintenance basis with little ore produced.

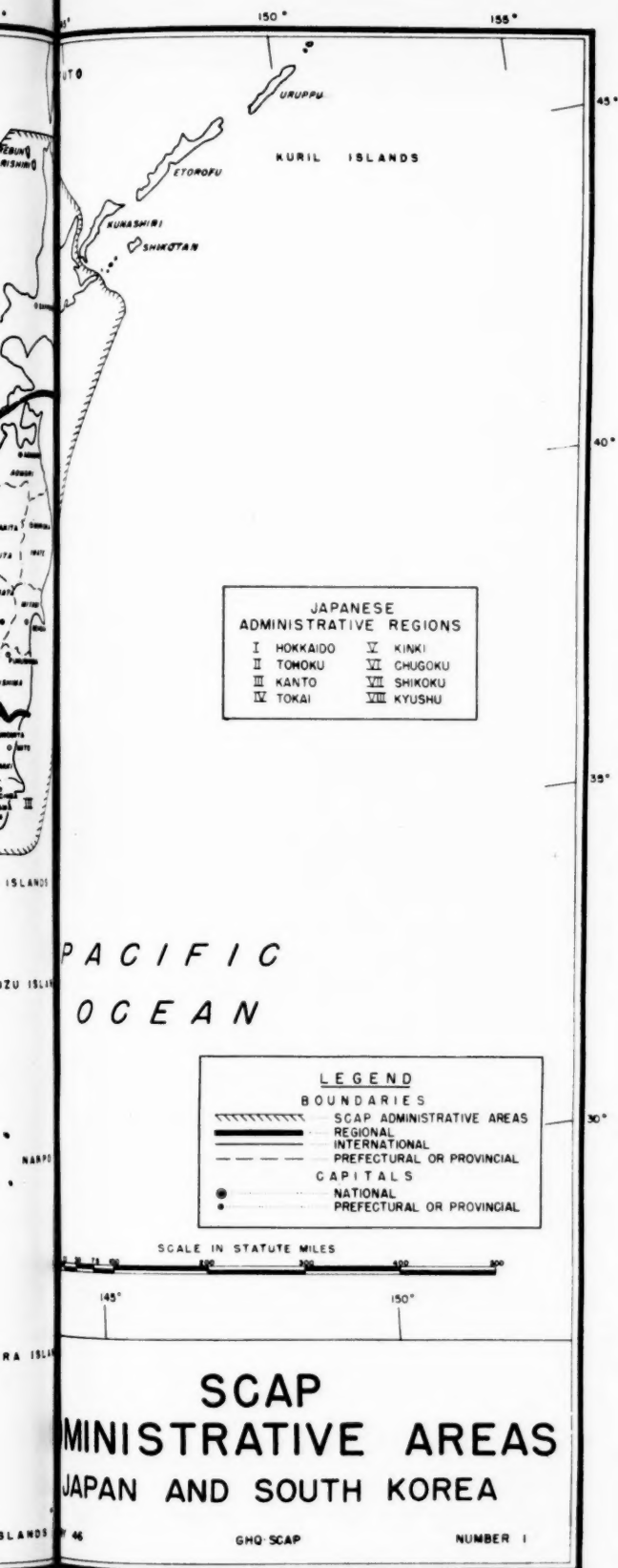
COMMERCE AND INDUSTRY

Industry

5. The industrial situation was virtually unchanged. Shortages of raw materials, fuel and labor continued to keep most production at low levels as compared to minimum needs.

Iron and steel production rose moderately in January and early February. This was attributable to an increase in coal supplies starting in late January.

Excerpts from Summation number 5 for the month of Feb. 1946, prepared by General Headquarters, Supreme Commander for the Allied Powers; released to the press simultaneously by the War Department in Washington and by SCAP in Tokyo on Apr. 25, 1946. The first section—Political Activities—was printed in the *BULLETIN* of May 5.



Chemical production was curtailed by shortages of basic raw materials. Heavy chemicals manufactured in January averaged less than 10 percent of industrial requirements.

Moderate declines prevailed in textile production for January, largely caused by continued shortages, the shortened working month resulting from the week-long New Year holiday and the necessity for making detailed inventories.

The Japanese Government inaugurated a nationwide program intended to provide proper maintenance for industrial machinery and equipment. Supervision will be conducted from the prefectural level.

Communications

6. A Telecommunications Facilities Reconstruction Council was formed of representatives of the Board of Communications and various ministries to provide improved coordination of the Board's activities.

Broadcasting service was improved with the addition of seven new stations and an increase in power output of four stations already in service.

Transportation

7. The past low level of development of motor transportation in Japan combined with war damage have resulted in a current supply of motor vehicles below the minimum essential requirements.

High passenger and freight traffic demands on the railways kept the system overtaxed.

Utilities

8. A considerable increase in the electric power load in Japan was evident during January and February.

The operation of the public utility gas systems of Japan is still limited by coal allocations.

Imports and Exports

9. Operational procedures and other details of import and export relations were further clarified in meetings between SCAP representatives and the Japanese Government. Initial shipments between Japan and the United States are expected in the very near future. Import and export programs for 1946 for China and Korea were developed. Production of equipment and preparation of supplies urgently needed in China and Korea were expedited.

Labor

10. The promulgation of the Imperial Ordinance on Labor Unions and the enforcement of the new Labor Union Law climaxed a month of intensive labor union activity in the course of which the number of labor union members approached 1,000,000.

Programs to recruit seamen for repatriation service and coal miners were substantially completed.

The Advisory Committee on Labor to assist SCAP on special problems in Japan and Korea arrived from the United States.

RATIONING AND PRICE CONTROL

11. In order to bring essential commodities into normal distributional channels the Japanese Government promulgated ordinances to prevent hoarding of staple foods and clothing and to raise official prices. These regulations should increase the quantity of foodstuffs sold to the government.

To reduce black-market activities street vendors are being formed into associations which will regulate types and prices of articles sold. Each vendor will be licensed and required to operate his business in a designated area.

FINANCE

Money and Banking

12. The Japanese Government promulgated ordinances blocking deposits and requiring complete currency conversion. Limited withdrawals from blocked accounts are permitted for specified purposes.

Restrictions on financial transactions and imports and exports of currency and financial instruments were modified.

Further consolidation of financial institutions was forbidden.

Public Finance

13. Permission was granted for government borrowing of ¥1,000,000,000 by long-term bonds and ¥500,000,000 in treasury notes.

Public finance plans of local governments emphasized expenditures for education, public works and sanitation. Decreases in planned expenditures in other fields were caused by shortages of materials.

Legislation is being prepared to create a Holding Company Liquidation Commission and to prohibit participation in international cartels and restrictive international agreements.

SOCIAL ACTIVITIES IN JAPAN

PUBLIC HEALTH AND WELFARE

Disease Incidence

1. The incidence of smallpox continued to be generalized throughout most of the country. There has been some decrease in areas where extensive campaigns have been undertaken with stocks of newly manufactured vaccine.

2. A major outbreak of typhus fever occurred in the city of Osaka. Supplies of DDT dusting powder were made available for a program of mass dusting under the supervision of SCAP representatives.

Welfare

3. The Japanese Government has submitted a plan to control and restrict unnecessary population movements from rural areas to urban centers defined as cities with 100,000 or more population. Evacuees considered essential in re-establishing the minimum civilian economy of Japan will be permitted to return to those localities where their services are needed.

Social Insurance

4. The Ministry of Health and Welfare, Social Insurance Bureau, reported that under the five social insurance laws benefits totalling ¥525,000,000 were paid on 58,600,000 policies during 1945. At the end of the year the balances of the five funds totalled ¥1,831,000,000.

Medical Supply

5. Distribution of newly manufactured medicines continued to improve. During the month over 3,000,000 doses of smallpox vaccine were shipped to areas where cases of smallpox occurred.

Production of smallpox vaccine during the month exceeded 20,000,000 doses. Increased production of diphtheria toxoid, cholera vaccine, triple typhoid vaccine and typhus vaccine was directed by SCAP.

Data from Japanese Government for January show that the overall production of all medical supplies increased.

Relief

6. A SCAP memorandum on public assistance directs the establishment of a central government agency to supervise local governmental operation of the relief program. It requires that the needs

of all indigent persons be met adequately regardless of the cause of dependency. The Japanese Government is required to integrate all public assistance administration into this program and to cancel its subsidies in this field to non-governmental agencies.

Repatriation

7. By 24 February 829,623 individuals had been repatriated to China, Formosa, Korea and the Ryukyus while 1,465,980 Japanese were returned to Japan.

EDUCATION

8. On 13 February the Japanese Government was directed to abrogate all laws, ordinances and other regulations which restricted the free circulation of printed materials in public or educational libraries.

9. Three hundred three national and vocational textbooks were approved by SCAP as free from militaristic and ultra-nationalistic ideologies and released to the Ministry of Education for printing.

10. The term of the middle and higher schools were restored to their pre-war periods of five and three years respectively. During the war each had been shortened by one year.

RELIGION

11. The Japanese Government continued the separation of Shinto from state control and support by the abolition of the Shrine Board of the Home Ministry. The Religious Corporations Ordinances were amended so that they are applicable to Shinto Shrines.

MEDIA OF EXPRESSION

Information Dissemination

12. SCAP's information programs designed to further the development of democratic organizations in the fields of political life, labor, women and youth continued.

A special information program was instituted to insure accurate and adequate explanation and discussion of the emergency Imperial Ordinances affecting Japanese economics; another program explained the need for typhus control and outlined the methods to be used.

13. Forty-eight thousand copies of a weekly newspaper prepared for Japanese prisoners of war overseas were sent to Korea, Philippine Islands, Saipan and China each week during the month.

Press and Publications

14. Japanese newspapers showed continued progress toward the development of a democratic press. Press analysis of leading Tokyo and prefectural newspapers indicated that economics, reconversion and politics dominated both the news and editorial columns.

A similar reflection of the critical problems of the day was noted in analyses of articles appearing in Japanese magazines.

Radio

15. Radio continued to play an important role in the dissemination of information concerning problems facing the Japanese people. A marked improvement in production standards for radio

programs was noted. A question and answer program concerning the war and a current events program were broadcast. The Women's Hour devoted much of its time to a series of political commentaries.

Motion Pictures

16. Five feature moving pictures were released during the month, four of them dealing with problems facing the Japanese people today. Newsreels showed improved treatment of current events and a variety of timely documentary and educational films are in production. American documentary films were shown to Japanese audiences and for the first time in four years American feature films were shown on Japanese moving picture theater screens.

Theater

17. Modern plays constituted 50 percent of the stage productions in February. One classical Kabuki drama was presented with modern innovations. A production of Drinkwater's "Abraham Lincoln" played throughout the month.

LEGAL AND WAR CRIMES

LEGAL AND JUDICIAL AFFAIRS

1. Opinions were given on numerous questions but the majority was concerned with the jurisdiction of new occupation courts and the conduct of proceedings in Japanese courts involving foreign nationals.

2. An opinion was rendered stating that the Supreme Commander might appoint members of the Allied Forces to military commissions trying war criminals and determine their qualifications and authority.

3. Claims in Japan and Korea which are outside the jurisdiction of statutory claims commissions are under examination by SCAP.

Exercise of Criminal Jurisdiction

4. A directive of 19 February deprived the Japanese courts of criminal jurisdiction over nationals of the United Nations or their organizations including corporations. Proceedings now pending were ordered stayed, subject to further directions of SCAP after a full report of such proceedings had been made by the Japanese Government.

5. The Japanese Government was informed

that acts and offenses which in the future would be tried only by military occupation courts included:

(1) Acts prejudicial to the security of the Occupation Forces.

(2) Killing or assaulting any member of the Occupation Forces.

(3) Unauthorized possession of property of the Occupation Forces or its members.

(4) Interfering with the arrest of any person sought, or assisting in the escape of any person detained by the Occupation Forces or by others acting under the direction of the Supreme Commander.

(5) Interfering with, refusing information required by, making any false or misleading statement orally or in writing to, or defrauding any member of the Occupation Forces in a matter of official concern.

(6) Acts on behalf or in support of any organization dissolved or declared illegal by the Supreme Commander.

(7) Conspiracies to commit, or acts which aid or abet the commission of any of the foregoing offenses.

In addition to members of the Occupation Forces all persons attached to or accompanying the Occupation Forces are entitled to the protection of the foregoing provisions.

The Japanese criminal courts were permitted to continue the exercise of jurisdiction over "acts prejudicial to the objectives of the occupation insofar as such acts constitute violations of Japanese law". The right was reserved to transfer jurisdiction over such matters to the military occupation courts at any time. This reservation assured the Occupation Forces the right of ultimate decision as to jurisdiction over acts involving both violations of SCAP directives and Japanese ordinances or laws.

6. The Commanding General of the EIGHTH Army and the Commander of the FIFTH Fleet were directed by a Letter Order of 19 February to appoint military occupation courts including military commissions and provost courts, to execute the provisions of the directive of 19 February. Commissions were authorized to impose imprisonment at hard labor not to exceed five years or a fine not to exceed ¥75,000, or both.

Other penalties which may be imposed include imprisonment in lieu of payment of fines; expulsion; and confiscation, padlocking and forfeiture of estates.

7. The Japanese Government was deprived of authority to arrest nationals of the United Nations except in areas where Allied troops are not actually present on duty or when directed to do so by the Supreme Commander or his authorized subordinates. Such incidents will be immediately reported to the nearest Allied military authority.

8. Another directive of 19 February informed the Japanese Government that sentences imposed by Japanese criminal courts on Koreans and other nationals of countries formerly under the domination of Japan would be subject to review by SCAP.

Review will be made only when the defendant has exhausted remedies reasonably available to him in the Japanese courts and when he furnishes adequate proof of intention to return to his homeland.

Exercise of Civil Jurisdiction

9. A directive of 26 February deprived Japanese courts of civil jurisdiction over nationals of the United Nations or organizations (including

corporations) attached to or accompanying the Occupation Forces.

10. The trial of civil cases affecting nationals of the United Nations other than those accompanying or attached to the Occupation Forces will be subject to supervision and review by SCAP.

The Japanese Government was required to report to the Supreme Commander all civil cases hereafter instituted or now pending affecting nationals of the United Nations and their organizations or corporations. The reports will include nationalities of the parties, nature of the case, relief sought and the status of the proceedings.

11. Civil claims against nationals of the United Nations will be presented to the Japanese Government which in turn will forward them to SCAP Headquarters for decision if they appear to be meritorious and are supported by proper evidence.

APPREHENSION OF WAR CRIMINALS

12. During February seven directives were issued ordering the Japanese Government to apprehend 51 persons suspected of war crimes and to deliver them to Sugamo Prison. Forty-six of those listed were accused of atrocities and offenses against nationals of the United Nations who had been confined in Japanese POW camps.

ORDERS FOR APPREHENSION

February 1946

Date and File Number of Directive	SCAPIN	Persons Ordered Apprehended
AG 383.7 (3 Feb 46) CIS	695	2 Burmese Embassy officials
AG 000.5 (3 Feb 46) LS	696	6 Army officers 11 Soldiers 1 Civilian
AG 312.4 (6 Feb 46) CIS	715	1 Lieutenant General
AG 000.5 (18 Feb 46) CIS	749	1 Burmese Ambassador Designate 1 Manchurian Ambassador Designate
AG 000.5 (22 Feb 46) LS	762	7 Army officers 8 Navy officers 9 Soldiers 3 Civilians
AG 000.5 (22 Feb 46) LS	763	1 Army officer
TOTAL		51

Persons Apprehended

13. Suspected war criminals of all categories arrested during February numbered 118, bringing the total number of persons interned in Sugamo Prison to 623. Twelve of those interned during

the month are being held for charges other than war crimes.

14. The names and identifications of important persons interned during the month are:

Masayuki Tani: Ambassador, Councillor at the Embassy at Manchukuo, Minister to Austria and Hungary, Minister-at-Large in China, Vice Minister of Foreign Affairs, President of the Board of Information, Foreign Minister in the Tojo Cabinet, and Ambassador to Nanking.

Shioshichi Kamisago: Major General, Commanding General of the Military Police in Formosa in January 1945.

Ichiro Morimoto: Major General, suspected of committing atrocities in the Philippine Islands.

Sadamu Shimomura: General, War Minister August 23, 1945, Commander of North China Area Army November 1944 to August 1945.

Takaji Wachi: Lieutenant General, succeeded Maeda as Chief of Staff on General Homma's Staff, Chief of Staff for Tanaka and Kureda, General Headquarters, Philippines.

Kiyotake Kawaguchi: Major General, Chief Justice of the Philippine Supreme Court.

Rensuke Isogui: Lieutenant General, Commander of the 10th Division, Viceroy of Hongkong January 1938.

15. A former second lieutenant in the Japanese Army voluntarily came to SCAP Headquarters and confessed to certain atrocity acts he had committed against members of the Allied Armed Forces. After his confession had been reduced to writing he was arrested and delivered to Sugamo Prison to await formal charges.

INVESTIGATION OF WAR CRIMINALS

16. Special teams are continuing investigations of atrocities committed against B-29 fliers shot

down during combat missions and against prisoners of war aboard Japanese ships and in POW camps. Cases in investigation files are classified as follows:

Type	Number of Cases
POW camps	81
B-29 fliers	52
Kempei-tai (Military Police)	21
Miscellaneous	75
TOTAL	229

17. Investigation of 81 cases was finished during the month bringing the total of completed cases to 147. A record containing the confessions of a Lieutenant General and his entire staff relating to atrocities which they had either ordered or condoned was completed.

PROSECUTION OF MILITARY WAR CRIMINALS

18. Seven additional war atrocity cases were referred to the EIGHTH Army for trial and 18 cases which were prepared for trial now await assignment. A total of 223 cases are in the process of preparation for trial.

19. Ten persons were tried for war atrocity crimes by military commissions at Yokohama during February. Six were individual trials and one was a common trial with four defendants. One of the 10 defendants was found not guilty. Three entered pleas of guilty. The results of the trials are given in the table below:

TRIALS OF WAR ATROCITY CASES
February 1946

Name of Accused	Official Capacity	Rank	Period of Trial	Results of Trial
HONDA, Hiroji	POW Camp Commandant	Capt	19 Jan-2 Feb	Sentenced to 30 years at hard labor
FUKUHARA, Isao	POW Camp Commandant	Capt	29 Jan-14 Feb	Sentenced to death by hanging
ISHIDA, Kitaro	POW Camp Quartermaster	Cpl	31 Jan-5 Feb	Sentenced to 30 years at hard labor
AONA, Shigeru	POW Camp Medical Off	Capt	6 Feb-22 Feb	Sentenced to 10 years at hard labor
ODEISHI, Shigamaru	Medical Corps	Pvt	9 Feb-9 Feb	Plea: Guilty. Sentenced to 10 years at hard labor
SAKAMOTO, Yukichi	POW Camp Commandant	Capt	13 Feb-25 Feb	Sentenced to life imprisonment
SAKAGAMI, Motoichi *	Medical Corps	Cpl	23 Feb-26 Feb	Sentenced to 2 years at hard labor
CHIHARA, Naraichi *	POW Camp Guard	Cpl	23 Feb-26 Feb	Plea: Guilty. Sentenced to 6 years at hard labor
ONO, Teruo *	POW Camp Interpreter	Pvt	23 Feb-26 Feb	Plea: Guilty. Sentenced to 2 years at hard labor
KATO, Shunsuke *	Medical Corps	Pvt	23 Feb-26 Feb	Plea: Not Guilty Verdict: Not guilty

* The first common trial of war criminals in Japan

First Plea of Guilty

20. For the first time a plea of guilty was received in the trial of a war crimes case on 9 February. A private in the Medical Corps of the Japanese Army admitted the charge and 10 of its 12 specifications, two specifications having been withdrawn previously for lack of evidence. Under existing rules the prosecution is required to make out a *prima facie* case as to each specification despite an unqualified plea of guilty.

The prosecution complied with this rule by introducing affidavits in support of each of the specifications. The defense consisted of a plea for mercy based upon the youth of the defendant and his frankness in confessing his guilt. The accused was found guilty by the Commission and sentenced to 10 years imprisonment at hard labor.

First Common Trial

21. The first common trial of war criminals in Japan commenced on 23 February and was completed on 26 February. The defense offered no objection to the joint trial of four defendants who were charged with the commission of separate but similar offenses. Each accused was arraigned separately. Two entered pleas of guilty and two pleaded not guilty.

The prosecution rested after introducing evidence against all four defendants. Motions for acquittal made in the case of two who had pleaded not guilty were denied after oral argument. The defense opened by placing on the witness stand the two defendants who had pleaded guilty. Both endeavored to minimize the effects of their conduct. At the conclusion of this evidence the Commission stated that it would consider the cases of these two defendants separately.

The prosecution and defense made arguments on the length of sentence to be imposed. After deliberation the Commission announced a verdict of guilty and imposed sentence. The two defendants who had admitted their guilt were ordered removed from the courtroom.

The trial then proceeded with the testimony of the third defendant and a character witness who testified in his behalf. The Commission sustained a motion of the defense for a separate argument and judgment on this defendant before proceeding with the trial of the fourth. The third defendant was acquitted and ordered removed from the courtroom.

The fourth defendant took the stand as the sole witness in his behalf. After hearing arguments on both sides the Commission deliberated and returned a verdict of guilty.

Review of Convictions

22. Preparations were made for the review of war crimes trials and for the handling of other supplemental proceedings. Letters and petitions were received requesting clemency for war criminals convicted in the Philippine Islands and in Japan. These requests will be held for consideration with review of the official trial records and for submission to the confirming authority.

23. An informal review written in the case of the *United States vs. Tsuchiya*, the first case tried in Japan, upheld the legality of the conviction and sentence.

INTERNATIONAL PROSECUTION OF WAR CRIMINALS

24. By General Orders No. 7 of 15 February the Supreme Commander appointed nine members of the International Military Tribunal for the Far East, implementing paragraph 10 of the Potsdam Declaration of 26 July 1945, the Instrument of Surrender of 2 September 1945 and Article 2 of the Charter of the Tribunal 19 January 1946. This action confirmed the nominations previously made by participating countries. The names of those appointed and the countries they represent are:

Commonwealth of Australia	Sir William Flood Webb
Dominion of Canada	Mr. Justice F. Stuart McDougall
Republic of China	Mr. Ju-Ao Mei
Republic of France	Mr. Henri Reimburger
United Kingdom of Great Britain and Northern Ireland	Lord Patrick
Kingdom of the Netherlands	Prof. Bernard Victor A. Roling
Dominion of New Zealand	Mr. Justice Erima Harvey Northcroft
Union of Soviet Socialist Republics	Mr. Justice I. M. Zaryanov
United States of America	Mr. Justice John P. Higgins

25. Sir William Flood Webb, Chief Justice of the Supreme Court of Queensland, Commonwealth of Australia, was designated as President of the Tribunal and Colonel Vern Walbridge was appointed General Secretary. The Marshal and Adjutant were also named.

26. Members from Australia, Canada, the Neth-

erlands, New Zealand and the United States arrived in Tokyo.

27. Trials will be held in the War Ministry Building at Tokyo. The main hall is being rearranged so that the accused will face the Tribunal as in the Nuremberg trials. The defendants will be brought to trial each day from Sugamo Prison where they are detained. Barracks are being remodeled for temporary housing of witnesses.

Prosecution Staff

28. The International Prosecution Staff has nearly completed its organization with the arrival of a majority of the associate counsel. The part which each will take in the trials has been decided. An executive committee is studying completed investigations to determine the individuals who will be charged with crimes and the form of indictment to be used. The War Ministry Building will be headquarters for the prosecution.

29. The following associate counsel have arrived:

Commonwealth of Australia	Mr. Justice Alan James Mansfield
Dominion of Canada	Brigadier Henry Gratton Nolan
Republic of China	Judge Che-Chun Hsiang
United Kingdom of Great Britain and Northern Ireland	Mr. Arthur Comyns Carr
Dominion of New Zealand	Brigadier Roland Henry Quilliam

The following associate counsel are expected in the early part of March:

Republic of France	M. Jean Lambert
Kingdom of the Netherlands	Dr. W. G. F. Borgerhoff Mulder
Commonwealth of the Philippines	Mr. Pedro Lopez
Union of Soviet Socialist Republics	Minister S. A. Golunsky

Discussions on Korean Cultural and Educational Problems

The Department announced to the press on April 3 that a group of six Koreans would arrive in Washington early in April to establish sources of cultural and technical aid in initiating a program of training which would involve the exchange of students and instructors between this country and Korea. The members of the group, all graduates of American as well as Korean universities, are Miss Whang Kyung Koh and Messrs. Lee Wook Chang, Hoon Lincoln Kim, Byron R. S. Koo, Ki Ho Lah, and Chang Wook Moon.

The group is coming to the United States under the sponsorship of the United States Military Government in Korea. This is one of the measures being taken by the military government to aid the Korean people in establishing a free educational system, withheld from them by the Japanese during their 35 years of domination over Korea. Other measures already undertaken by the military government in Korea have been the appointment of a Korean as Director of Education, the rewriting of Korean textbooks, increasing of salaries paid to Korean teachers, and training of Korean teachers to take the places formerly held by Japanese.

The Department of State, under its program of cultural cooperation, will assist the Koreans

in planning their itinerary and in making contact with interested departments of this Government, private educational foundations, and institutions.

Mr. William Franklin Sands, who has long experience in Korean affairs, is now serving as a consultant with the Office of International Information and Cultural Affairs of the Department of State and will accompany the group of Koreans on its travels in this country.

On April 17, the Department announced to the press that discussions concerning Korean cultural and educational problems are now under way between members of the Korean Educational Commission to the United States and officials of the United States Government and private institutions.

This commission has been sent to the United States for a stay of approximately three months to make a survey of educational conditions and make recommendations to the military government of Korea for establishing a long-range cultural and educational program to meet requirements of the Korean people for training technicians in all phases of public life. Because of the severe discrimination imposed upon the Koreans by their Japanese overlords during the years of Japanese domination, there is an acute shortage of trained skills among Koreans.

International Organizations and Conferences

Calendar of Meetings

Council of Foreign Ministers:		
Meeting of Deputies	London	January 18—temporarily adjourned
Meeting of Foreign Ministers	Paris	April 25
Far Eastern Commission	Washington	February 26
Allied-Swiss Negotiations for German External Assets	Washington	March 18
Fifth Pan American Railway Congress	Montevideo	April 5
International Labor Organization:		
Industrial Committee on Iron and Steel	Cleveland	April 23-29
Metal Trades Committee	Toledo	May 2
International Office of Public Health	Paris	April 24
PICAO:		
European and Mediterranean Air Route Services Conference	Paris	April 24
Annual Meeting of the Assembly	Montreal	May 21
International Cotton Advisory Committee	Washington	May 7
FAO: Special Meeting on Urgent Food Problems	Washington	May 20-28
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Special Committee on Refugees and Displaced Persons	London	April 8
International Court of Justice	The Hague	April 18
Commissions of the Economic and Social Council	New York	April 29
Economic and Social Council	New York	May 25
International Health Conference	New York	June 19
General Assembly: Second Part of First Session	New York	September 3

The dates in the calendar are as of May 5.

Activities and Developments

United States Delegation to the First Meeting of the Metal Trades Committee of ILO.¹ The Acting Secretary of State announced on May 1 that the President has approved the following persons, nominated in concurrence with the Secretary of Labor, as members of the U.S. Delegation.

This meeting is similar in scope, with respect to the metal trades industries, to the meeting of the International Labor Organization Committee on Iron and Steel, which concluded its first session on April 29 at Cleveland, Ohio.

¹ Released to the press May 1.

REPRESENTING THE GOVERNMENT OF THE UNITED STATES

Members

Edward L. Cushman, State Director, United States Employment Service, Department of Labor, Detroit, Mich.

Oscar W. Meier, Chief, Special Economic Relations Division, Office of World Trade Policy, Department of Commerce.

Adviser

Victor S. Baril, Labor Economist, Wage Analysis Branch, Bureau of Labor Statistics, Department of Labor.

REPRESENTING THE EMPLOYERS OF THE UNITED STATES

Members

George W. Romney, Manager, Automobile Manufacturers' Association, Detroit, Mich.

A. M. Rochlen, Director of Industrial and Public Relations, Douglas Aircraft Company, Inc., Santa Monica, Calif.

REPRESENTING THE WORKERS OF THE UNITED STATES

Members

James A. Brownlow, Secretary-Treasurer, Metal Trades Department, American Federation of Labor, Washington, D.C.

Richard T. Leonard, Vice President, United Automobile, Aircraft and Agricultural Implement Workers of America, Detroit, Mich.

Announcement on Positions in FAO Secretariat. The Director General of the Food and Agriculture Organization of the United Nations has sent a memorandum to member governments announcing the principal positions in the FAO Secretariat, to which it is hoped to make appointments within the next few months. These positions are in the professional grades I (commencing salary \$10,000) through V (commencing salary \$4,500). Applications should be made to the Director General not later than June 30, 1946.

The positions are in the fields of:

ADMINISTRATION—including senior administrative officers, press officers, editorial assistants, and finance officer;

NUTRITION AND FOOD MANAGEMENT—including the science of nutrition, experience in making dietary surveys and food-consumption studies, public-health nutrition work, and food technology;

AGRICULTURE—including the natural sciences as applied to agriculture; crop husbandry and ani-

mal husbandry; agricultural education and extension;

FISHERIES—including scientific, technical, and economic aspects of the fishing industry and fish trade; marine biology and stock conservation; processing and preservation of fishery products;

FORESTRY—including the science and practice of forestry and utilization of forestry products; silviculture and forest management;

ECONOMICS AND MARKETING—including both general and agricultural economics; the economics of agricultural production and government programs; economics of marketing, distribution, and food-processing industries; international trade policy; and the relationship of rural and industrial economy to the economic development of backward areas;

STATISTICS—including the general field of statistics as well as the special fields of statistics of agricultural, fishery, and forestry production; marketing, consumption, prices; and international trade.

For all posts, ability to speak and write fluently at least one of the two working languages (English and French) is necessary and ability to read and understand the other working language will be an advantage.

Application blanks and further details may be secured from the FAO, 2000 Massachusetts Avenue, Washington, D.C.

Opening Meetings of the Commissions of the Economic and Social Council. At Hunter College, building no. 1 (Gillet Hall), Henri Laugier, Assistant Secretary-General for Social Affairs, presided on April 29 over the opening meeting of:

The Temporary Social Commission
The Commission on Human Rights
The Subcommission on the Status of Women

A. D. K. Owen, Assistant Secretary-General for Economic Affairs, presided over the opening meeting of:

The Statistical Commission
The Temporary Transport and Communications Commission
The Economic and Employment Commission

A provisional agenda was submitted to each of the Commissions.

The Record of the Week

Draft Treaty on the Disarmament and Demilitarization of Germany

Preamble

On June 5, 1945, the Governments of the United States, the Union of Soviet Socialist Republics, the United Kingdom, and the French Republic declared their intention to effect the total disarmament and demobilization of Germany. In substantial measure this intention has already been fulfilled. Nothing shall prevent or delay the completion of the process. It remains to ensure that the total disarmament and demilitarization of Germany will be enforced as long as the peace and security of the world may require. Only this assurance will permit the nations of Europe and the world to return single-mindedly to the habits of peace. To achieve this objective, the Governments of the United States, the Union of Soviet Socialist Republics, the United Kingdom, and the French Republic agree to engage in the common undertaking defined in this treaty.

Article I.

The high contracting parties agree that they shall take steps jointly to ensure that:

(a) All German armed forces, including land, air, anti-aircraft and naval forces, all para-military forces, such as the SS, the SA and the Gestapo, and all organizations auxiliary to the foregoing shall be and shall remain completely disarmed, demobilized and disbanded.

(b) The German general staff and the staffs of any para-military organizations shall be and shall remain disbanded.

(c) No German military or para-military organization in any form or guise shall be permitted in Germany.

(d) The manufacture, production, or importation of military equipment in Germany shall be prevented. In particular, the high contracting

parties shall prevent the manufacture, production, or importation of:

(1) All arms, ammunition, explosives, military equipment, military stores and supplies and other implements of war of all kinds;

(2) All fissionable materials for any purpose, except under conditions approved by the high contracting parties;

(3) All naval vessels of all classes, both surface and submarine, and auxiliary naval-craft;

(4) All aircraft of all kinds, aviation equipment and devices, and equipment for anti-aircraft defense.

(e) The establishment, utilization or operation for military purposes of any of the following shall be prevented:

(1) All military structures, installations and establishments, including but not limited to military air fields, seaplane bases and naval bases, military and naval storage depots, permanent and temporary land and coast fortifications, fortresses and other fortified areas;

(2) All factories, plants, shops, research institutions, laboratories, testing stations, technical data, patents, plans, drawings and inventions, designed or intended to produce or to facilitate the production of items listed in paragraph (d) above.

(f) Under conditions which may be established by the high contracting parties, the demilitarization and disarmament required by this article shall be subject of the following exceptions and to no others:

(1) The formation and employment of such detachments of German civil police, and their

¹ Submitted by the United States to the Council of Foreign Ministers at the Apr. 29 meeting and subsequently released to the press in Paris. Released to the press by the Department of State on Apr. 30.

equipment with such types and quantities of imported small arms, as may be essential to the maintenance of public security; and

(2) The importation of minimum quantities of those items listed in paragraph (d) (1) above, such as explosives or ingredients of explosives, which may be essential for purposes of construction, mining, agriculture or for other peaceful purposes.

Article II.

To implement the disarmament and demilitarization provisions set forth in Article I, the high contracting parties agree that they shall make provision for a system of quadripartite inspection, which shall become operative upon the termination of the Allied occupation of Germany. This system of inspection shall be conducted through a Commission of Control to be established by the high contracting parties on a quadripartite basis. The Commission of Control, through its officers and agents, shall conduct, in any and all parts of German territory, such inspections, inquiries and investigations as it may deem necessary to determine whether the disarmament and demilitarization provisions set forth in Article I are being observed.

Article III.

The high contracting parties agree that for the duration of the period of Allied occupation of Germany, they shall, through the Allied Control Council and in their respective zones, enforce strictly the disarmament and demilitarization provisions set forth in Article I. They agree further that the express acceptance by Germany of the provisions of Articles I and II shall be an essential condition to the termination of Allied occupation of German territory.

Article IV.

The Commission of Control provided for in Article II shall keep the high contracting parties and the Security Council of the United Nations informed of the results of the inspections, inquiries and investigations authorized by that article. The Commission of Control shall submit a report to the high contracting parties whenever in the opinion of a majority of the members of the Commission, it has reason to believe that a violation of the dis-

armament and demilitarization provisions of Article I have occurred or is about to occur. In conjunction with such report the Commission shall submit a recommendation for action on the part of the high contracting parties which appears appropriate to a majority of the members of the Commission. Upon receipt of such report and recommendations, the high contracting parties will, by common agreement, take such prompt action—including action by air, sea or land forces—as may be necessary to assure the immediate cessation or prevention of such violation or attempted violation. The high contracting parties shall immediately report to the Security Council of the United Nations the action taken or to be taken.

The high contracting parties agree that, within six months of the effective date of this treaty, they shall consult for the purpose of negotiating special quadripartite agreements which shall provide in the greatest practicable detail for inspection, inquiry and investigation by the Commission of Control. For the numbers and types of forces which each party shall make available for purposes of this treaty, for their degree of readiness and general location, and for the nature of the facilities and assistance which each shall provide. Such special quadripartite agreements shall be subject to ratification by the high contracting parties in accordance with their respective constitutional processes.

Article V.

This treaty shall be ratified by the high contracting parties in accordance with their respective constitutional processes. The ratifications shall be deposited with the government of (blank), which shall notify all the high contracting parties of each deposit.

This treaty shall come into force upon the deposit of ratifications by each of the high contracting parties. This treaty shall remain in force for a period of 25 years from its effective date. The high contracting parties agree to consult six months before the date of expiration of this treaty for the purpose of determining whether the interests of international peace and security require its renewal, with or without modification, or whether the German people have so far progressed in the reconstruction of their life on a democratic and peaceful basis that the continued imposition of the controls defined herein is no longer necessary.

Italian Government To Restore Property of United Nations Nationals

[Released to the press April 29]

On April 9 the Italian Government desequestrated all property in Italy belonging to nationals of the United Nations. The amount of property in Italy belonging to United States citizens and corporations and affected by this action is estimated at over \$200,000,000.

Under the procedure established, in cases involving commercial or industrial concerns, real estate and personal chattels, owners or their representatives must be in Italy to take over desequestrated property. In cases involving bank accounts, securities, and valuables, the presence of owners or legal representatives is not required. Where owners or representatives are required to be in Italy, it is suggested that they seek the advice and assistance of American Consuls in Italy.

In order not to impede the restoration of property to its rightful owners, questions of taxes and charges on property restored, claims for maladministration of property, and claims for war damages are being reserved for later settlement by inter-governmental agreement. Owners, it is true, can settle such matters directly with the Italian Government but they may thereby prejudice their rights under the inter-governmental agreement.

The provisions concerning desequstration are contained in Italian decree 36 of February 1, 1945 and Italian decree 140 of March 26, 1946, which were made effective as of April 9 by the decree of the President of the Council of Ministers of Italy of that date.

The sequestrator of property is required to make restoration to the owner or his representative immediately upon request. If the property is not returned within 30 days of April 9 because the owner is absent and unrepresented or unwilling to accept his property back, the Italian Government will appoint administrators to continue the custody of the property. These administrators may be the present sequestrators.

Legal representatives must have full power of attorney, properly legalized. Where a change in title to property has occurred since sequestration the new owner must show proof of ownership. It

is suggested that co-heirs use the same legal representative to avoid expense and delay.

The local Intendente di Finanza (Provincial Treasury Officer) will supervise the procedure for the restoration of the property and will also assure the cancelation of the sequestration decree in the provisional records.

At the time of the return of the property, a Verbale di Riconsegna (Instrument of Reconsignment) will be tendered the owner or his legal representative. This instrument will contain a list of all items being returned. Before signing the document and accepting the restoration of property the owners should insist upon inclusion of all other information pertinent to their particular cases; and they should insist that statements of account, balance sheets, schedules, inventories, etc., be produced and scrupulously checked against the actual property. Any discrepancy should be explained in writing.

In certain cases special procedures may be required as where the sequestrator can not be found or where property has disappeared or been transferred to a third party. In this situation where property has been transferred to a third party, the owner is entitled to cancellation of the instrument of transfer. Where the property has been leased, the lease may be terminated at the option of the owner or be permitted to continue in force until the end of the lease contract.

While the decrees provide that all expenses of desequstration and restoration of desequestrated property will be borne by the Italian Government, some question exists whether this includes the costs of professional assistance.

In the following cases the presence of the owner or legal representative is not required but application may be made by ordinary communication as indicated:

1. Bank accounts transferred to ITCAMBI (National Institute for Foreign Exchange) will be restored to the original bank of deposit to which owners should apply. Lire sums will be restored in lire, sums in other currencies will be restored in

kind (dollar for dollar, etc.) and in original type of account.

2. Funds paid into ISTCAMBI by individuals or institutions other than banks will be restored to owner upon his request filed with the Bank of Italy, which will deal with ISTCAMBI for the owner.

3. Bank accounts or other funds frozen in the Bank of Italy or in other banks will be restored by the bank concerned upon request.

4. Funds from a sale by SICEA (Italian Foreign Commerce Corporation, number 1, Via delle Marche, Rome) of property of United States nationals will be made available to owner upon filing of application. SICEA obtained these funds from the sale of goods belonging to United States nationals in Italian ports and ships.

5. Securities and valuables held by the Bank of Italy or other banks will be restored upon application with the bank concerned.

Myron C. Taylor to Return to Italy as President's Personal Representative

STATEMENT BY THE PRESIDENT

[Released to the press by the White House May 3]

I have asked Mr. Myron C. Taylor to return to Italy as my personal representative to His Holiness the Pope, with the rank of Ambassador.

After the cessation of hostilities Mr. Taylor came home for consultation and report. I have studied his report of his several audiences with the Pope with interest and with profit. I feel that he can continue to render helpful service to the cause of Christian civilization if, at my instance from time to time, he resumes his duties in Italy. As on his previous trips Mr. Taylor will confer not only with the Pope but with other leaders in the spiritual world and in the world of politics and secular affairs as he travels through Europe in the fulfilment of his mission.

The cessation of active fighting has left the world in a state of unrest. In many quarters we witness lamentable conflicts of principle and policy. Out of all of this unrest and conflict, however, one conviction emerges as clear as the noon day. It is that we shall establish an enduring

peace only if we build it upon Christian principles.

In the dark days of 1940 President Roosevelt sent Mr. Taylor to Italy as his personal representative. His mission was most helpful to the cause of peace and in the alleviation of suffering brought about by the most awful conflict in the annals of mankind, and it will be, I am sure, equally useful in the future.

There is no minimizing the gravity of the days in which we live. I feel the necessity of having for my guidance the counsel and cooperation of all men and women of good will whether in religion, in government, or in the pursuits of everyday life. I have therefore sought the advice of leaders in religion of various convictions and allegiances, not only in this country but from abroad. I feel that all have a vital contribution to make. I shall continue to welcome the counsel of such leaders to the end that the voice of conscience may be heard in the councils of nations as they seek a solution of that age-old problem—the government of man.

Credit Arrangement With Austria

[Released to the press May 3]

The Department of State announced on May 3 that, in carrying out the Moscow Declaration of 1943 which pledged the Four Powers to open the way for the Austrian people to find economic security, a dollar credit arrangement of 10 million dollars has been completed with the Government of Austria for the purchase of American surplus property abroad.

The agreement with the Austrian Government is designed to facilitate the reconstruction of Austria by utilizing American surplus property in Europe. The utilization of these resources has hitherto been made impossible by the shortage of dollars in Austria.

The present credit arrangement represents a "credit ceiling" and does not mean that the Austrian Government will necessarily purchase up to this total. All credit arrangements concluded by the Office of the Foreign Liquidation Commissioner provide for a rate of interest of 2½ percent per annum payable annually with the principal to be made in annual instalments.

Discussions Regarding Foreign Purchasing Missions

[Released to the press May 4]

Officers of the Department of State have recently informed representatives of governments having purchasing missions in this country that the United States, while recognizing the valuable services performed by these missions during the war emergency, nevertheless believes that they should be terminated by the end of the transition period. There was also an exchange of views concerning the operations of the missions pending their termination. Conversations were held with the representatives of the following governments: Australia, Belgium, China, France, Greece, India, Italy, Netherlands, New Zealand, Norway, Poland, Portugal, Union of South Africa, Union of Soviet Socialist Republics, and United Kingdom.

The policy of this Government, as explained to the representatives of the foreign governments concerned, favors the use of private commercial channels in international trade. Although it is recognized that during the transition period the continuance of governmental participation in trade may be required to bring about the prompt reconversion of the economies of the world, stability of prices, and equitable distribution of available supplies, it was pointed out that it is the policy of the United States that such state trading agencies should conduct their trade in accordance with usual commercial considerations.

With these policies in mind, the Department ex-

pressed the view that the missions should limit their operations during the transition period to the procurement of commodities necessary to meet essential civilian requirements for relief and rehabilitation. The Department also took the position that purchasing missions should use normal trade channels to the maximum extent practicable and that their purchasing methods should be in accord with commercial considerations. The governments having purchasing missions here were also informed of the view of the United States Government that, as the transition draws to a close and the emergency need ceases, the wartime purchasing missions should be terminated.

There was general concurrence with the policy set forth by this Government. Several of the representatives indicated that their government's purchasing-mission activities had already been considerably reduced and anticipated that before the end of the year they would be completely disbanded.

With respect to the Union of Soviet Socialist Republics, whose trade is conducted through enterprises which are public in character, the United States expressed the view that, upon the termination of the wartime Soviet Purchasing Mission, trade between the United States and the U.S.S.R. should again be carried on by an agency or agencies incorporated in one of the states of the United States as was the case prior to the war.

Addresses and Broadcasts of the Week

Assistant Secretary Clayton

American International Economic Interests. See Department of State press release 295 of May 1

Delivered before the 34th Annual Meeting of the Chamber of Commerce of the United States in Atlantic City, N.J., on May 2

Willard L. Thorp

The British Financial Agreement. See Department of State press release 296 of May 1

Delivered before the Chamber of Commerce of the State of New York in New York, N.Y., on May 2

Deputy to the Assistant Secretary for Economic Affairs

Francis H. Russell

On the subject of communications and foreign policy. See Department of State press release 299 of May 3

Delivered before the 16th Institute for Education by Radio in Columbus, Ohio, on May 4

Acting Director of the Office of Public Affairs

Benjamin A. Cohen of Chile

United Nations Assistant Secretary-General for Information

William T. Stone

The Role of International Information Services. See Department of State press release 297 of May 2

A radio program broadcast over the NBC network on May 4

Director of the Office of International Information and Cultural Affairs, Department of State

Francis H. Russell

Foreign Liquidation Commission Report¹

[Released to the press April 30]

Foreign Liquidation Commissioner Thomas B. McCabe today reported to Congress that during the period ending March 31, 1946, the FLC has realized \$345,000,000 from the sale of surplus property costing \$1,028,000,000 when it was new.

Property whose original cost was \$3,521,000,000 has been declared surplus overseas and made available to the FLC by the Army and Navy and other owning agencies, McCabe stated in a quarterly report. He estimated that, in addition to the property already declared surplus, potential surplus remaining undeclared as of March 31 exceeded \$10,000,000,000. This estimate included, however, property which might be abandoned, scrapped, or returned to the United States and hence never made available to the FLC for disposal.

"In view of the nature and condition of the property involved," the report explained, "the return on the surplus sold to date is extremely good, and probably will show a higher percentage of realization than will be possible on future surplus disposals".

The 54-page report described the organization and activities of the FLC from its start to March 31, 1946. Foreign disposal was transferred from the War Department to the State Department on October 20, 1945.

Secretary of State Byrnes, in a letter transmitting the report to Congress, said: "To those who have dealt with the problems of foreign disposal, one truth stands paramount—prompt, decisive action is essential. Rapid deterioration of the surpluses, the importance of relieving U. S. troops abroad of custodial responsibilities, and the urgency of the need in many parts of the world all point to a program in which speed is the dominant influence".

The report pointed out that the FLC has also transferred to UNRRA property involving an original cost of approximately \$146,000,000 at a transfer value of \$97,000,000, under authority of Section 202 of the UNRRA Participation Appropriation Act of 1945.

¹ Report to Congress on Foreign Surplus Disposal, April, 1946 (Department of State).

Discussions on World Trade Proposed

In answer to inquiries concerning statements made on May 2 in the debate² on the British loan to the effect that the United States was negotiating with the British Government for tariff reductions, a State Department spokesman said that:

No negotiations for tariff reductions are being conducted between the United States and the British Government.

The *Proposals for Expansion of World Trade and Employment*, published last December, recommend that "members (of the proposed international trade organization) should enter into arrangements for the substantial reduction of tariffs and for the elimination of tariff preferences" as part of a general program for the reduction of trade barriers.

It was also announced last December that the United States had invited 15 countries to participate in such discussions. The United Kingdom is one of these countries.

No date has yet been set for these discussions.

These discussions, when they occur, will be conducted under the Trade Agreements Act. They will be preceded by public notice and regular hearings before the Committee for Reciprocity Information under that act. The tariff concessions to be offered by the United States will be carefully considered from the point of view of the whole national interest, in the light of whatever may be developed at the hearings. Reductions will be made in the future, as they have been in the past, selectively, after full hearing and consideration, with due regard for the interests of American producers, and always in return for corresponding concessions made by other countries.

² A congressional debate is in progress on the subject of the financial agreement which was submitted by the President to Congress for implementation. Senator Hugh Butler asked on the floor of the Senate on May 2 whether negotiations were in progress for tariff reductions between the United States and the United Kingdom.

Clearance Processes for Sale of Classified Articles

[Released to the press April 29]

In answer to inquiries regarding articles in the press stating that American companies are negotiating for the sale of radar and other important war secrets to a foreign power with State Department consent, the Department issued the following statement on April 29:

Under the Espionage Act of 1917, anyone who transmits to a foreign power or national any information which may affect the national security is liable to prosecution. Accordingly many firms which manufacture articles used in the maintenance of national security make inquiry of the War, Navy, or State Departments as to the possibility or manufacture of such articles in foreign countries.

As is well known, certain items contracted for by the War and Navy Departments are classified as to their relative degree of importance in the maintenance of national security. Before any such articles may be sold or licenses negotiated for their manufacture abroad, clearance must be obtained from the War, Navy, and State Departments.

This applies exclusively to material classified by the War and Navy Departments, which have jurisdiction over classification procedure.

With the exception of certain material jointly developed by the United States and other countries, no classified equipment in the electronic field has been released for sale or for licensing for manufacture abroad since the termination of the lend-lease program. All electronic material made available through lend-lease has been declassified.

The Department has no legal authority to prevent the sale or manufacture of unclassified material abroad.

Ambassador Pauley To Study Economic Problems in the Far East¹

[Released to the press May 2]

The Acting Secretary of State announced on May 2 that Ambassador Edwin W. Pauley, personal representative of the President on reparations matters, would leave at the end of the week for the Far East at the request of the President and the Secretary of State.

Acting Secretary Acheson emphasized that it is the American objective to support and to promote the unity and the economic development of China and Korea, and at the same time to assure that they will be economically independent of Japan.

Mr. Acheson stated that China must be enabled to utilize to the full the natural resources and industries of Manchuria and that Korea must be in a position to develop its own resources and industries if a long-range plan for the peaceful economy of East Asia is to be worked out.

Mr. Pauley will make studies and investigations with a view to recommending coordinated and rational programs for the healthy industrial and economic development of Manchuria and Korea and utilization of their natural resources in relation to reparations removals from Japan.

Mr. Pauley's conclusions at the termination of his mission will be drawn from actual facts and a meeting of minds. His approach will be based upon the broader aspects of the American viewpoint, which is based on a program of rehabilitation of the Far East and is designed to enlarge the area of opportunity for the millions who inhabit that part of the globe.

The main purpose of the mission, said Mr. Acheson, is to secure information and make recommendations which will assist the United States Government and its allies in planning a program for the Far East which will contribute to the peace and security of the Far East and of the whole world.

¹ This announcement was read by the President at his press conference on May 2. The U. S. Reparations Mission is composed of the following persons: Edwin W. Pauley, personal representative of the President, with the rank of Ambassador, and Chief of the U.S. Reparations Mission; Martin T. Bennett, Industrial Engineer; B. S. Berco-
vici, Information and Education; G. S. Carter, Chief of the Secretariat; A. B. Einig, Industrial Consultant; N. M. Elias, Chemical Engineer; Capt. M. E. Fenical, War Department Official Photographer; Richard P. Gaynor, Secretary to Mr. Pauley; Raphael W. Green, Administra-

tive Clerk; John P. Hurndall, Natural Resources Consultant; Charles A. Karl, Administrative Assistant; Ernest L. Klein, Special Assistant to Mr. Pauley; Edwin Martin, State Department Liaison; Sgt. John Matles, Interpreter-Aide; Col. William Mayer, War Department Liaison and Adviser on China; Benjamin C. Olsen, Administrative Assistant; Gen. George Schulgen, War Department Liaison and Consultant; Earl L. Shaner, Iron and Steel Consultant; Carleton E. Swift, Petroleum Geologist; Norman Taylor, Mechanical Engineer; H. M. Thorne, Oil-Shale and Refining Engineer.

Program for Philippine Rehabilitation and Recovery

STATEMENT BY THE PRESIDENT

[Released to the press by the White House April 30]

I have today signed H.R. 5856 and S. 1610, the two bills which constitute the heart of the program for Philippine Rehabilitation and Recovery.

On October 6, 1943, President Roosevelt called upon the Congress "to make provision to determine the adjustments necessary in the existing provisions of law which govern the economic relations between the United States and the Philippines so as to assist in making the Philippines, as an independent nation, economically secure."

That recommendation was made in the heat and desperation of struggle. It climaxed promises made to the people of the Philippines that not only would their land be liberated from the tyranny of the enemy, but that they would be given their full independence and would be rehabilitated from the ravages of war.

The enactment of H.R. 5856 and S. 1610 into law marks the fulfillment of the last of these promises.

In S. 1610, we are making provision for war damage payments to those who suffered war losses in the Philippines, and for the reconstruction and rehabilitation of public property. We are also undertaking to rehabilitate and develop those technical skills and services which will be essential for the survival and growth of the Philippines as an independent nation.

In H.R. 5856, we are providing for the establishment, through an executive agreement, of an unprecedented plan of preferential trade relations with the Philippines to last for twenty-eight years. We have never entered into similar agreement with any foreign government. Preferential trade relations are alien to the policy of this administration. In substance, however, H.R. 5856 is a rehabilitation act. Its sole purpose and guiding philosophy is to furnish a formula for the rehabilitation of the Philippine national economy through the encouragement of private enterprise and private initiative. H.R. 5856 provides an economic function for the buildings and factories which will be restored and rebuilt under the terms of S. 1610.

While it is unfortunate that the Congress saw fit to provide in S. 1610 that no war damage payment in excess of \$500 shall be made until the executive agreement shall have been entered into between the President of the United States and the President of the Philippines under the terms of H.R. 5856, to all practical purposes this provision is surplusage, as the benefits which will flow under the enactment of the two bills are so great as to ensure execution of the executive agreement by the Republic of the Philippines.

This is unprecedented legislation for the United States, but the situation itself is unprecedented. We are about to grant political independence to these people. Today we are giving them a chance to preserve and develop their nation on a temporary economic basis of trade preferences. Political independence without economic stability would be totally ineffective.

I am happy to approve these two measures, which give notice to the people of the Philippines and to the entire world that we are redeeming our promises to the heroic Philippine people.

American Vessels To Transport Food to Foreign Countries

[Released to the press by the White House May 3]

John W. Snyder, Director of War Mobilization and Reconversion, on May 3 took steps to assist European, Middle East, and Far Eastern countries in their food-supply problems by making available to them small American vessels for fishing and food transport.

Mr. Snyder asked the State Department, in cooperation with the War Assets Administration, the War Shipping Administration, and the War and Navy Departments, to make every effort to see that these countries and their nationals be given the opportunity to acquire usable small vessels up to 1,000-ton capacity which have been or can be declared surplus. These vessels can be used for fishing, the transport of food and other commodities between ports or harbors, and in coast-wise trade.

Convention With Canada for the Development, Protection, and Conservation of the Fisheries of the Great Lakes¹

MESSAGE FROM THE PRESIDENT

THE WHITE HOUSE, April 22, 1946.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States of America and Canada for the development, protection, and conservation of the fisheries of the Great Lakes, signed at Washington, April 2, 1946. The conven-

tion has the approval of the Department of State and the Department of the Interior.

I transmit also for the information of the Senate a report made to me by the Secretary of State with respect to the convention and a copy of the report of the International Board of Inquiry for the Great Lakes Fisheries.

HARRY S. TRUMAN.

REPORT OF THE SECRETARY OF STATE

April 19, 1946.

The PRESIDENT,

The White House.

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States of America and Canada relating to the fisheries of the Great Lakes and their connecting waters, signed at Washington April 2, 1946.

The convention has been negotiated with the objective of providing for the development, protection, and conservation of the fisheries of the Great Lakes through cooperation between and joint action by the governmental agencies of the United States and Canada concerned with the administration of these fisheries.

As a means for achieving this objective, the convention provides for the establishment of an International Commission for the Great Lakes Fisheries. The establishment of the Commission will provide an effective solution to the need for coordinated action by the various governments having responsibilities relating to the fisheries of the Great Lakes. At the present time, 11 governments have responsibilities relating to those fisheries—the Governments of the United States of America and Canada, the governments of the

States of New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota, and the government of the Province of Ontario—and there are in existence no effective means for coordinating their efforts to discharge these responsibilities.

For many years the Governments of the United States of America and Canada, of the eight States of the United States bordering on the Great Lakes, and of the Province of Ontario, as well as the fishermen of the area, have been concerned over the decline in abundance of fish in the Great Lakes, particularly the more desirable species. Cooperation of the various governments concerned has long been urged as indispensable to effective and orderly development of the fisheries, not only in promoting adequate research into the causes of the decline in the fisheries but also in assuring that progressive and constructive regulations founded on scientific research and instituted by one jurisdiction may not be nullified by failure of an adjacent jurisdiction to adopt similar or complementary measures.

The need for cooperative action in order to preserve and develop the fisheries of the Great Lakes was recognized as early as 1875, when a report of the State of Michigan urged the necessity for uniform laws. During the succeeding 71 years a number of interstate and international conferences have been held with a view to obtaining coordination, but in each case the efforts failed to achieve the desired cooperative action. How-

¹ Senate Executive C, 79th Cong.

ever, persons interested in the Great Lakes continued to urge the need for effective cooperative measures for the benefit of the fisheries, and the matter has received the continuing consideration of the several governments concerned.

In 1938 the Council of State Governments called meetings of 60 State, Federal, and Provincial officials to study the problem. These meetings resulted in a recommendation that an international board of inquiry be established to consider and recommend measures for the conservation of the Great Lakes fisheries.

The Governments of the United States of America and Canada, under an agreement signed February 29, 1940, established the International Board of Inquiry for the Great Lakes Fisheries to study the taking of fish in the Great Lakes, to make a report of its investigations to the two Governments, and to make recommendations as to methods for preserving and developing the fisheries of the Great Lakes. During the course of its investigations, the Board of Inquiry compiled and analyzed data on the take of fish, studied the fluctuations in the fisheries, and examined into the possible causes for the variations in quantities and species of fish taken. In addition, the views of public officials, commercial fishermen, and sportsmen were solicited with respect to fluctuations in the abundance of the various species of fish and the causes of the fluctuations, with respect to the specific measures which should be taken by the governments to improve the fishing, and with respect to the form of governmental organization which would be most effective in regulating and rebuilding the fisheries. In all, 29 public hearings were held throughout the Great Lakes region, in which some 1,500 public officials, commercial fishermen, and sportsmen participated. On August 6, 1942, the Board of Inquiry submitted its report to the Governments of the United States of America and Canada, calling attention to the need for an effective program for the conservation and development of the Great Lakes fisheries and recommending joint action for that purpose by the governments concerned. A copy of the report of the Board of Inquiry is transmitted herewith.

The Department of State, in collaboration with the Fish and Wildlife Service of the Department of the Interior, made a careful study of the report and recommendations of the Board of Inquiry. It was evident from consideration given the matter that measures with respect to the fisheries of the

Great Lakes could be made effective only through coordinated action of all the governments concerned—Federal, State, and Provincial. At the invitation of the Department of State, representatives of the Governors of the eight Great Lakes States, including State conservation and legal officers, advised the Department at various stages in the development of the convention.

The provisions of the convention may be summarized as follows:

Article I defines the waters to which the convention applies.

Article II provides for the establishment of an International Commission for the Great Lakes Fisheries, to be composed of a United States section and a Canadian section and for the appointment of an advisory committee for each lake consisting of representatives designated by each State or Province, as the case may be, having jurisdiction on the lake. The Commission, the national sections, and the advisory committees are to be constituted in accordance with and governed by the provisions of the schedule annexed to the convention.

Article III provides that the Commission shall formulate and recommend specific research programs of observations and studies of the Great Lakes fisheries to be carried out by the appropriate agencies of the two Governments in collaboration with the States of the United States concerned and the Province of Ontario as well as with other institutions and facilities.

Article IV requires that the Commission undertake to develop a comprehensive plan for the effective management of the fishery resources of the Great Lakes for the purpose of securing the maximum use of those resources consistent with their perpetuation. This article provides also that the Commission may make regulations fixing—

- (a) Open and closed seasons;
- (b) Open and closed waters;
- (c) The size limits for each species of fish;
- (d) The time, methods, and intensity of fishing;
- (e) The type and specifications of the nets, gear, and apparatus and appliances which may be used;
- (f) The methods of measurement;
- (g) The extent and nature of stocking operations;
- (h) The introduction of new species; and
- (i) Catch returns and other statistical records

as may be necessary to give effect to the purposes of this convention.

Pursuant to the provisions of article IV, the United States section alone, i.e., the American members of the Commission, will act in matters relating to Lake Michigan. Regulations affecting fishing in United States waters will not become effective until approved by the President of the United States; and regulations affecting fishing in Canadian waters will not become effective until approved by the Governor General in Council. Paragraph 10 of the schedule annexed to the convention provides that regulations made and approved under article IV shall not become effective until 1 year from the date when the convention comes into force.

Article V requires that the Governments of the United States of America and Canada provide for the enforcement of the regulations in their own respective waters. It is provided, however, that in United States waters the regulations for each lake may be enforced, in the first instance, by the States bordering thereon within their respective jurisdictions. With respect to Canadian waters the regulations may be enforced in the first instance by the Province of Ontario. The Commission is required to keep itself informed as to the effectiveness of enforcement and to report to the two Governments on unsatisfactory conditions of enforcement. Upon the receipt of complaints, the Federal Government concerned agrees to take appropriate action to insure proper enforcement.

Article VI provides that nothing in the convention shall be construed as preventing any of the governments concerned from making or enforcing such laws or regulations within their respective jurisdictions as will give further protection to the fisheries of the Great Lakes provided that such laws or regulations are not inconsistent with the provisions of the convention or with the regulations made and approved thereunder.

Article VII provides for the prohibition of the shipment, transport, purchase, sale, import, or export of fish taken from the Great Lakes in violation of the regulations made and approved under the convention.

Article VIII provides that licenses to fish in the waters of the Great Lakes within the jurisdiction of any State or Province may continue to be issued

by such State or Province in accordance with its laws and subject to such fees as it may fix. If licensing is necessary to give effect to the regulations of the Commission, and if any State or Province fails to establish or maintain adequate licensing, the appropriate Federal Government may take necessary measures to provide such licensing, in addition to that of the State or Province, as is required.

Article IX contains provisions regarding the enactment and enforcement of such legislation as may be necessary to give effect to the provisions of the convention and the regulations made and approved thereunder, with appropriate penalties for violations.

Article X provides for the ratification of the convention, the exchange of ratifications, and the entry into force on the date of the exchange of ratifications. This article provides also for the continuance in force of the convention for a period of 10 years and thereafter until 1 year from the day on which either of the high contracting parties shall give notice to the other high contracting party of an intention of terminating the convention.

Respectfully submitted.

JAMES F. BYRNES.

(Enclosures: (1) Great Lakes fisheries convention, (2) report of the International Board of Inquiry for the Great Lakes Fisheries.¹)

Prime Minister of Australia To Visit in U.S.

[Released to the press May 3]

The Prime Minister of Australia, Joseph Benedict Chifley, will visit Washington as a guest of the Government between May 6 and May 10.

The Prime Minister is at present in London attending the Conference of Prime Ministers of the British Commonwealth and is returning to Australia by way of the United States. He will proceed from Washington to Tokyo to meet General MacArthur.

¹ Not printed.

Consideration of Japanese Reparations

[Released to the press April 25]

The United States Government is currently engaged in preparing proposals for submittal to the member governments of the Far Eastern Commission with respect to the handling of reparations from Japan. These proposals envisage the establishment of an inter-Allied body to allocate Japanese assets declared available for reparations among the countries which participated in the war against Japan.

It is expected that, as in the case of Germany, Japanese holdings abroad and certain industrial facilities in Japan will be utilized for reparations purposes. All transfers of such industrial facilities will be made to the governments whose claims, based on war costs, war damage, and similar factors, are recognized.

In the case of the United States, as soon as

necessary congressional and other authority has been secured, information will be released by the State Department as to

1. the classes of claims which will be entitled to compensation out of the proceeds of reparations, and procedure for filing such claims;
2. the procedure for submittal by private persons and organizations of requests for industrial equipment allocated to the United States Government as reparations;
3. the procedure for sales of industrial equipment and other assets received by this Government as reparations from Japan.

Until reparations policies have been agreed to on an inter-Allied basis no action can be taken by this Government to secure and distribute Japanese assets on reparations account.

The Department

Appointment of William L. Langer as Special Assistant to the Secretary

[Released to the press April 29]

The Acting Secretary of State announced on April 29 the appointment of William L. Langer to be Special Assistant to the Secretary of State in charge of Research and Intelligence.

Appointment of Officers

Carl B. Spaeth and Gustavo Duran as Special Assistants to the Assistant Secretary for American Republic Affairs, effective December 19, 1945 and January 18, 1946, respectively.

Vernon L. Phelps as Adviser on European Commercial Affairs in the Division of Commercial Policy, effective February 25, 1946.

John K. Galbraith as Director of the Office of Economic Security Policy, effective February 1, 1946.

Charles P. Kindleberger as Chief of the Division of German and Austrian Economic Affairs, effective February 1, 1946.

Ralph H. Ackerman as Chief of the Division of Foreign Reporting Services, effective February 25, 1946.

Carlisle H. Humelsine as Director of the Office of Departmental Administration, effective March 11, 1946.

John E. Peurifoy as Special Assistant to the Under Secretary, effective April 22, 1946.

G. Hayden Raynor as Special Assistant to the Director of the Office of European Affairs, effective April 22, 1946.

Bennett Boskey as Special Adviser to the Division of Economic Security Controls, effective March 19, 1946.

Alan N. Steyne as Special Assistant to the Director of the Office of International Trade Policy, effective April 29, 1946.

William E. DeCourcy as Chief of the Foreign Service Inspectors Corps, effective April 15, 1946.

George R. Fearing, Jr., as Director of the Office of Intelligence Collection and Dissemination, effective April 29, 1946.

William D. Wright as Chief of the Division of Central Services, effective February 24, 1946.

Isaac N. P. Stokes as Associate Chief of the Division of International Organization Affairs, effective April 29, 1946.

Haywood P. Martin as Executive Officer in the Office of the Foreign Service, effective April 29, 1946.

Intelligence Objectives

183.5 ADVISORY COMMITTEE ON INTELLIGENCE (ACI): (Effective 5-1-46)

I FUNCTIONS. The Special Assistant to the Secretary for Research and Intelligence shall consult with ACI with respect to the:

A Establishment and coordination of Departmental intelligence objectives and policies.

B Implementation of Departmental policy with respect to the National Intelligence Authority.¹

C Participation by the Department in any centralized operations or projects which the Director of the National Intelligence Authority may propose.

II MEMBERSHIP. ACI is composed of the Special Assistant to the Secretary for Research and Intelligence, as Chairman; the Assistant Secretary for European, Far Eastern, Near Eastern, and African Affairs; the Assistant Secretary for American Republic Affairs; and the Assistant Secretary for Administration.

III MEETINGS. The Committee will determine the time and place of its meetings and its procedures.

133.20 OFFICE OF INTELLIGENCE COORDINATION AND LIAISON (OCL): (Effective 5-1-46)

I FUNCTIONS. Subject to appropriate policy coordination by the Advisory Committee on Intelligence, as provided in Departmental Regulation 183.5, OCL is responsible, under the general direction of the Special Assistant to the Secretary for Research and Intelligence, and in collaboration with the Office of Intelligence Collection and Dissemination (OCD), for the performance of the following functions:

A Representing all interested elements of the Department on the staff of the National Intelligence Authority.

B Preparing, in cooperation with the geographic and economic Offices, special intelligence estimates for the Secretary and the Under Secretary, the Assistant Secretaries, and for the National Intelligence Authority.

C Establishing and maintaining standards of research and analysis throughout the Department.

D Formulating, in consultation with the geographic and economic Offices, a Departmental program for basic research, and coordinating and stimulating the execution thereof.

E Organizing and supervising projects and research cutting across the lines of the geographic and economic Offices.

F Conducting specialized research on economic or other technical subjects.

G Maintaining a central clearing house of information regarding research studies prepared or planned anywhere in the Department.

H Maintaining liaison with other agencies of the Government, and with private institutions, for the purpose of utilizing all possible research resources to meet the Department's needs.

I Collecting, evaluating, analyzing, and interpreting foreign maps and other cartographic intelligence; maintaining a comprehensive collection of maps, atlases, gazetteers, and other cartographic research material; and preparing new maps as required.

133.30 OFFICE OF INTELLIGENCE COLLECTION AND DISSEMINATION (OCD): (Effective 1-1-46)

I FUNCTIONS. OCD shall be responsible, under the general direction of the Special Assistant to the Secretary for Research and Intelligence, for:

A Acquiring and distributing intelligence source materials.

B Maintaining, cataloging, and indexing the central collection of intelligence materials and reports of the Department.

C Presenting and distributing finished intelligence.

II ORGANIZATION. OCD shall be composed of the following organization units, with routing symbols as indicated:

A Office of the Director (OCD)

B Division of Intelligence Acquisition and Distribution (IAD)

C Intelligence Reference Division (REF)

D Division of Biographic Intelligence (BI)

E Presentation Division (PN)

III FUNCTIONS OF THE OFFICE OF THE DIRECTOR. The Office of the Director of OCD shall be responsible for coordinating and directing the activities of the component Divisions of the Office. In addition, it shall, in accordance with assignments determined by the Director of OCD in cooperation with appropriate officials, be responsible for seeing that intelligence personnel attached to diplomatic and consular posts are utilized in assembling data and conducting research in foreign countries. Such assignments will also be made in close cooperation with the Office of the Foreign Service (OFS) in order to achieve maximum utilization of the research facilities of both the Foreign Service and the intelligence staff abroad. (Revised 5-1-46)

140.1 GEOGRAPHIC OFFICES: (Effective 5-1-46)

I DIVISIONS OF RESEARCH. The Divisions of research in the several geographic Offices are as follows:

A Division of Research for Near East and Africa (DRN) in the Office of Near Eastern and African Affairs (NEA).

B Division of Research for Far East (DRF) in the Office of Far Eastern Affairs (FE).

C Division of Research for Europe (DRE) in the Office of European Affairs (EUR).

D Division of Research for American Republics (DRA) in the Office of American Republic Affairs (ARA).

II FUNCTIONS. Each of the Divisions of research shall be responsible, under the general direction of the Director of its Office, for providing evaluated positive information on the foreign countries under the jurisdiction of its Office as an aid to the formulation and implementation of foreign policy. In discharging this responsibility, each of the Divisions of research shall be responsible, specifically and within its assigned area, for:

A Preparing special intelligence estimates as required.

B Collaborating with the Office of Intelligence Coordination and Liaison (OCL) in the formulation of a Departmental program of basic research.

C Planning and implementing a program of research and analysis, integrated with the Departmental program, to meet the needs of its Office and of the Department.

¹ BULLETIN of Feb. 3, 1946, p. 174.

D Maintaining standards of research and analysis established by OCL.

E Collaborating with OCL and other Divisions of research in projects cutting across the lines of the several geographic and economic Offices.

F Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning the Departmental program of information procurement.

III ORGANIZATION. Each Division of research shall be organized in geographic sections corresponding to the geographic Divisions of its Office.

The Foreign Service

Confirmations

On April 12, 1946, the Senate confirmed the nomination of William D. Pawley to be Ambassador Extraordinary and Plenipotentiary of the United States to Brazil.

On April 22, 1946, the Senate confirmed the nomination of George V. Allen to be Ambassador Extraordinary and Plenipotentiary of the United States to Iran.

On April 26, 1946 the Senate confirmed the nominations of Joseph Flack to be Ambassador Extraordinary

and Plenipotentiary of the United States to Bolivia, J. Rives Childs to be Envoy Extraordinary and Minister Plenipotentiary of the United States to the Kingdom of Saudi Arabia, and Edwin F. Stanton to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Siam.

On April 29, 1946 the Senate confirmed the nomination of Lowell C. Pinkerton to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Iraq.

On May 1, 1946 the Senate confirmed the nomination of Prentice Cooper to be Ambassador Extraordinary and Plenipotentiary of the United States to Peru.

Diplomatic and Consular Offices

The American Embassy at Chungking, China, was closed on April 23, 1946 and was reestablished as a combined office at Nanking, China, on April 24. The post at Chungking was reestablished as a Consulate on April 26.

The Consulate at Saigon, French Indochina, was opened to the public on April 27, 1946.

Erratum

In BULLETIN of April 7, 1946, pages 568 and 570, in footnote 1, substitute "25th Meeting of the Security Council" for "26th Meeting of the Security Council".